



Joel Ossoff/GRSM/NPS
07/28/2011 09:14 AM

To Melissa Cobern/GRSM/NPS@NPS
cc Clayton Jordan/GRSM/NPS@NPS, Kevin
Fitzgerald/GRSM/NPS@NPS
bcc
Subject Contacts with CUA holders re. backcountry
reservation/permit system proposal; initial comments

History: This message has been replied to.

Melissa,

I was able to talk with 6 of the CUA holders who are authorized to provide backpacking guide services to give them a heads up regarding this proposal and hear any initial comments or questions. I've left message for a couple of others but haven't connected yet. After talking to these 6, I emailed the proposal to all of the 17 CUA holders who are authorized to provide any kind of hiking guide services.

You will be happy to hear that the initial comments were universally positive or very positive. I am attaching a copy of my notes of comments received so far. These notes include a couple of items that may merit consideration during the review period. I thought we might hear some objections or concerns, but so far, any concerns are not serious.

Please let me know if you have any questions.

Joel D. Ossoff
Concessions Management Specialist
Great Smoky Mountains National Park
Voice: (828) 497-1932
Fax: (828) 497-1926



CUA holder comments on BC res system proposal.docx

Backcountry Office and Permit System Restructuring Proposal
TELEPHONE COMMENTS FROM COMMERCIAL USE AUTHORIZATION HOLDERS
(Telephone calls by Joel Ossoff on July 27, 2011)

Steve Silberberg, Fitpacking/Callipygian Ventures, Inc., Hull, MA

- Not opposed to proposal
- Support fee
- Would like to be able to make reservations more than 25 or 30 days in advance of trip; current system makes it difficult to market, plan, and book trips

Steve Claxton, Smoky Mountain Adventures, Bryson City, NC

- Thinks making all sites reservation sites is a wonderful idea
- Strongly agreed with recent changes making campsites 84 and 85 reservation sites
 - Has experienced results of overuse of these sites including lack of cable space and bear problems/closures
- Supports fees
- Sounds like a legitimate proposal
- Would like to see exception to 8 person group size for certain campsites also apply to CUA holders
 - Current CUA conditions restrict groups to 8 p maximum (this was put in place before we changed campsite limits and allowed exceptions to 8 person limit)
 - Larger parties for commercial groups help keep prices down for customers
 - Steve understood that increasing capacity at some sites was partly to accommodate commercial users
 - Has seen abuses of group size limits, park regulations, and volunteer agreements by NC volunteer horse group on "supposed" work trips

Villa Brewer, Nantahala Outdoor Center, Bryson City, NC

- NOC is not yet doing any commercial overnight trips so this doesn't directly affect NOC
- Recreation.gov reservations may adversely affect people like Villa who don't have a credit card (she does have a debit card she could probably use)
- Proposal and more rangers in backcountry should help with frequently overfull trail shelters
- Could be a problem for backcountry users who encounter problems during a trip and need to change their itinerary while they are in the backcountry
- Suggested talking to Carter Petty, Director of the Mountain Discovery Charter School in Bryson City (828-488-2123). They do several backcountry trips with students each year and have challenges with group size limits, etc. Jim Killebrew, the math and science teacher, helps plan these trips and may also have comments.

Backcountry Office and Permit System Restructuring Proposal
TELEPHONE COMMENTS FROM COMMERCIAL USE AUTHORIZATION HOLDERS
(Telephone calls by Joel Ossoff on July 27, 2011)

Ronnie, Parris, Smoky Mountain Outdoors Unlimited, Bryson City, NC

- Was in favor of the recent change making campsites 84 and 85 reservation sites
 - Has personally experienced overcrowding at campsite 85
- Fees are OK as long as they are not too high
- Reservation system changes should help with current difficulty in reaching BC reservation number

Vesna Plakanis, A Walk in the Woods, Gatlinburg, TN

- Supports all of the proposed changes; good work
- Prefers first fee alternative
- They spend a lot of time in the backcountry and see and are bothered by frequent misuse and abuse of backcountry
- Have experienced a lot of problems with AT thru hikers using trail shelters
 - Bad attitudes
 - Frequent disregard of regulations
 - Everyone thinks they are a thru-hiker and think that this status allows them to do anything they please



Ditmanson, Dale <dale_ditmanson@nps.gov>

Fw: Backcountry Permit Fee external briefing document

1 message

Dale_Ditmanson@nps.gov <Dale_Ditmanson@nps.gov>
 To: Bob_Miller/GRSM/NPS@nps

Fri, Jul 29, 2011 at 11:28 AM

Dale A. Ditmanson
 Superintendent
 Great Smoky Mountains National Park
 107 Park Headquarters Road
 Gatlinburg, TN 37738
 865-436-1201
 865-436-1204 (fax)

--- Forwarded by Dale Ditmanson/GRSM/NPS on 07/29/2011 11:28 AM ---

Kevin
 Fitzgerald/GRSM/NPS

07/26/2011 01:16 PM

ToMelissa Cobern/GRSM/NPS@NPS, Clayton
 Jordan/GRSM/NPS@NPS

ccDale Ditmanson/GRSM/NPS@NPS, Bob
 Miller/GRSM/NPS@NPS, Nancy
 Gray/GRSM/NPS@NPS, Joel
 Ossoff/GRSM/NPS@NPS

SubjectBackcountry Permit Fee external briefing document

Melissa/Clay:

Attached is the final version, ready for use. Dale will be making calls to the NC and TN delegation staffs this week. We are also going to offer to meet with them in person on August 8 and 10, but the calls may suffice. He is also going to make select calls to local constituents around the park later this week.

Before the press release is issued and this document is sent to the mailing list that you have developed, some calls need to be made to the partner organizations/other groups you have listed and a coordinated effort to share with the CUA holders also needs to take place with Joel. We can get together on Monday and look over the contact list again and identify who needs to be called.

Lastly, we discussed public use at squad this morning and one item that caught our eye was the monthly and YTD numbers for overnight backcountry use. They are identical for 2010 and 2011. Naturally, this is cause for concern with several of us in that the proposal is based upon known and anticipated use figures. Are these numbers accurate?

Thanks

(See attached file: Backcountry Reservation System Restructuring Proposal External Scoping final 7.27.11.docx)

Kevin FitzGerald
 Deputy Superintendent
 Great Smoky Mountains National Park

4/22/13

DEPARTMENT OF THE INTERIOR Mail - Fw: Backcountry Permit Fee external briefing document

865-436-1202 Office
865-712-3040 Cell
865-436-1204 Fax



Backcountry Reservation System Restructuring Proposal External Scoping final 7.27.11.docx
547K



Backcountry Office & Permit System Restructuring Proposal

July 27, 2011

Introduction

Park management is considering a proposal to improve visitor services by restructuring the park's backcountry reservations and permitting processes as well as assisted backcountry trip planning services. The purpose of this document is to brief park partners, cooperators and stakeholder representatives and to solicit feedback on this proposal.

Background and Scope of Problem

- The park consistently receives complaints about the amount of time and effort it takes for visitors to get a backcountry reservation and/or acquire backcountry planning information. This is a reflection of insufficient staffing for the volume of customers, both call-in and walk-in, requiring reservations and/or trip planning information.
- The park also frequently receives feedback from the public that they desire to see more rangers in the backcountry to address problems such as dogs on trails, and permit and camping violations. This includes overcrowding of backcountry campsites by non-permitted campers. A greater National Park Service presence is also desired in the Backcountry Information Office to provide trip planning services.
- Non-reserved sites currently comprise over half the park's backcountry campsite inventory. Because they are non-reserved, capacities are frequently exceeded, which results in food storage violations, increased wildlife encounters and the need to close campsites to protect visitors and wildlife. When the park needs to close one of these sites, staff must rely on closure signs at permit stations and at the sites themselves to notify campers, but this is not a reliable method of notification. A reliable system of notification is vitally important when closures are due to bears or other safety reasons.

Proposed Solution and Outcomes

1. Contract with Recreation.gov, an online and call-in reservation service, to which customers will have 24/7 access and can print their backcountry permit prior to arriving in the park. Recreation.gov is the official centralized reservation service used by all U.S. Department of Interior and U.S. Forest Service recreational areas offering camping reservation services. These options will reduce the number of reservation calls to the Backcountry Information Office and allow staff to spend more time assisting customers with high-quality trip planning services, both walk-in and by phone. Although park research suggests that 80% of reservations will likely be made online and almost 20% by phone, there will also be an opportunity for customers to obtain reservations or permits on a walk-in basis at the Backcountry Information Office and potentially at one or two other select visitor contact stations in the park.

The reservation system will dramatically increase reservation/permit customer service and ensure customers have greatly improved access to high-quality trip planning information, both through personal contacts and improved on-line planning tools. Customers will be able to make reservations and obtain permits at their convenience.

2. Create a cost recovery fee structure for reservations that will generate revenue to cover both the contractor cost of the reservation system and support an increased National Park Service presence in the Backcountry Information Office and in the park's backcountry.

Although Great Smoky Mountains National Park has been offering free backcountry permits for years, the park is in the minority when compared to other parks with comparable backcountry operations. Most other parks with similar backcountry operations charge between \$10 and \$30 per reservation, and many have additional per person or per person, per night fees. Parks use these fees in support of their backcountry operations programs and, in turn, offer improved services to the public. Similarly, beyond providing access to a more convenient reservation/permitting service, Great Smoky Mountains National Park proposes using these fees to increase ranger presence in the backcountry and improve customer access to trip planning services through the Backcountry Information Office.

Alternative fee structures that would allow the park to meet these objectives include:

- \$10 per reservation + \$5 per person; or,
 - \$10 per reservation + \$2.25 per person per night; or,
 - \$4 per person per night.
3. Require reservations for all backcountry sites. The reservation system will have the capability of notifying reservations holders of site closures, safety issues, or emergency information via phone calls, text messages or emails.

The park will be aware of, and have contact information for, users at each site. The park will be able to reliably contact each reservation holder with timely information about closures, safety issues and other important backcountry information.

By placing all sites on the reservation system and having an increased ranger presence in the backcountry, negative impacts to both the natural environment and to the visitor experience from overcrowding and other conflicts will be reduced.

Conclusion

Implementation of this proposal will result in an improvement to customer service that will make obtaining backcountry reservations quick, easy and convenient for customers, as well as increase their access to Backcountry Information Office personnel for trip planning. Additional rangers in the park's backcountry will improve visitor experience by actively addressing commonly reported backcountry camper concerns.

Additional Information & Comments

- Written comments regarding this proposal may be addressed to the Park Superintendent by August 26th. Comments may be submitted via email to grsmcomments@nps.gov or by mail to Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, Tennessee 37738.
- The park will also hold two informational open houses regarding this proposal to which partners, cooperators, stakeholder representatives and the general public are invited.
 - Tuesday, August 16: Old Oconoluftee Visitor Center 5:30 – 7:30 pm.
 - Thursday, August 18: Headquarters Lobby 5:30 – 7:30 pm.



Jordan, Clayton <clayton_jordan@nps.gov>

Proposed Backcountry Mgmt Changes

1 message

Bob_Miller/GRSM/NPS <Bob_Miller/GRSM/NPS>

Fri, Jul 29, 2011 at 11:54 AM

To: Unknown

Bcc: Clayton_Jordan@nps.gov



Great Smoky Mountains National Park News Release

Immediate Release Contact: Bob Miller**Date: July 29, 2011 865/436-1207**

National Park Managers Consider Backcountry Camping Changes

Managers at Great Smoky Mountains National Park are considering some changes in the process by which backpackers make reservations for overnight camping at the Park's nearly 100 backcountry sites and shelters. The proposed changes, which would update the reservation procedure as well as increasing Ranger presence on the Park's 800 miles of trails, would be covered by a minimal user fee. No fees are being contemplated for day hiking.

The Park currently requires that all those planning to stay overnight in the backcountry obtain a permit and those wishing to stay in the Park's 15 shelters and most popular campsites make a reservation either by phone or in person at the Park's Backcountry Information Center located in the Sugarlands Visitor Center near Gatlinburg. The reservations ensure that the number of campers on a given night do not exceed the carrying capacity of the site. Many other less sought-after sites do not require that a reservation be filed, but users are still required to self-register at one of 15 permit stations when they arrive in the Park.

Due to limited staffing, the Backcountry Information Center is open only three hours a

day and the phone line is often busy or is unstaffed, which makes the process excessively time-consuming and often frustrating. Once backpackers do obtain their reservations and arrive at their campsites, they often find the area filled by individuals without permits. In addition site capacities are frequently exceeded, which results in food storage violations, increased wildlife encounters and the need to close campsites to protect visitors and wildlife. Lack of staff in the backcountry severely limits the Park's ability to resolve these issues.

(over)

Smokies Backcountry Camping Proposal – Page 2

In response to these concerns, managers are evaluating the implementation of a computerized reservation system which would take reservations both online and via a call center for all its backcountry sites 24 hours a day 7 days a week. The reservations would be made by a contractor at: www.recreation.gov which is the site currently used to book frontcountry campsites. The Park would also expand the operations of the Backcountry Information Center to provide quality trip planning advice to help users develop a customized itinerary that best fits their available time and ability.

In addition, the Park would hire additional Rangers who would exclusively patrol the backcountry to improve compliance with Park regulations as well as helping to curb plant and wildlife poaching and respond more quickly to visitor emergencies.

Park Superintendent Dale Ditmanson said, "We feel that the proposed changes offer better customer service to backpackers, as well as reducing impacts to Park resources. In order to implement these changes we are considering several fee structures that would cover both the reservation contractor's fee and the cost of field Rangers and staff at the Backcountry Information Center."

The Park plans to solicit public input on the new plan both on-line and through two public meetings. Details of the proposal may be found at the Park's website:

<http://www.nps.gov/grsm/parkmgmt/index.htm>. Comments may be sent electronically at: GrsmComments@nps.gov. or by mail to: Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738. Informational open houses are scheduled for Tuesday, August 16 from 5:30 to 7:30 p.m. at the Old Oconaluftee Visitor Center at 1194 Newfound Gap Road in Cherokee, and Thursday, August 18 from 5:30 to 7:30 p.m. at Park Headquarters Lobby at 107 Headquarters Road in Gatlinburg. Comments should be submitted by August 26.

(NPS)

Bob Miller
Management Assistant
Great Smoky Mountains National Park
(865) 436-1207
FAX 436-1204



National Park Service
U.S. Department of the Interior

Great Smoky Mountains
National Park

107 Park Headquarters Road
Gatlinburg, TN 37738

865/436-1200 phone
865/436-1204 fax

Great Smoky Mountains National Park News Release

Immediate Release

Date: August 8, 2011

Contact: Bob Miller

865/436-1207

Smokies Sets Open Houses to Discuss Proposed Backcountry Management Changes

Great Smoky Mountains National Park Superintendent Dale Ditmanson is inviting the public to two open houses to discuss changes the Park is considering in the way it manages its backcountry campsite reservation. The open houses are set for Tuesday, August 16 at the Old Oconaluftee Visitor Center at 1194 Newfound Gap Road in Cherokee, NC and on Thursday, August 18 at Park Headquarters at 107 Park Headquarters Road in Gatlinburg. Both events will run from 5:30 to 7:30 p.m.

"I look forward to the open houses as informal opportunities for Park neighbors to talk about the proposed changes one-on-one with the Park staff," Ditmanson said. "There will be no formal presentations, so folks can show up at any time between 5:30 and 7:30."

Park managers are proposing changes to the system by which backpackers make reservations for the use of the Park's remote campsites and shelters and they also plan to increase the presence of Rangers in the backcountry. If implemented, the changes will include charging a reservation fee. No fees are being contemplated for day hiking. Details of the proposal may be found at the Park's website: <http://www.nps.gov/grsm/parkmgmt/index.htm>.

(NPS)

National Park Service
U.S. Department of the Interior
Great Smoky Mountains National Park



Visitor Log
Great Smoky Mountains National Park
Reservation System Proposal Open House
Oconaluftee, NC 8/16/11

(17)

Andy Meyer		
Mike Casper		
Robert Lipsett		
Bill VAN HORN		
WAVH@dnr.net		
Mike Hagan		
Bryce Deitz		
DICK EVANS		
Buddy SANDLIN		
JIMMY STEVENSON		
Andy Miles		
Cindy McJunkin		
Lynn Schreiber		
Brian C Bock		
Kevin King		
Nick Johnson		
Tatyana Johnson		
Morgan Sommerville		
Chris Hibbard		

National Park Service
U.S. Department of the Interior
Great Smoky Mountains National Park



Visitor Log
Great Smoky Mountains National Park
Reservation System Proposal Open House
Oconaluftee, NC 8/16/11

(12)

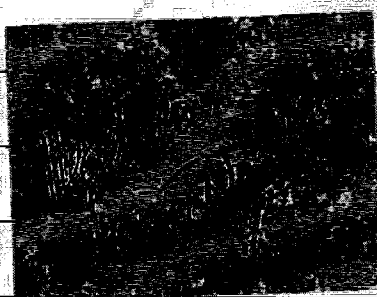
Stanley Boyd		
Sharon Van Horn		
Jim Mincey		
Joe A. Paul		
Jim Douthett		
Shirley E. Lee		
David Monteith		
Ellen Monteith		
Boyd Allison		
Linda Hogue		
STEVE CLAYTON		
Zachery Hawkins		

National Park Service
U.S. Department of the Interior
Great Smoky Mountains National Park



Visitor Log
Great Smoky Mountains National Park
Reservation System Proposal Open House
HQ 2/18/11

40

WESTY FLETCHER	Preston Mayes	Charles Gubbs
Craig Donahoe	Penny Wisell	SHERRY L. JENNETTE
Tony McCarter	Mark	Sydney Frey
Ernest Eulman	Joy B. Bids	Kenn Umbel Jr
Morgan Briggs	JENN KOZAK	Justin Ball
RONNIE MCGAHA	Lester Flynn	Ashley Ball
TINA M. WOOD	Dale Sorrells	
NELSON ROSS	Donny Nolan	
INIZAAK WALTON LEAGUE	Eric Bette	
MARK PITT	Samantha Ray	
Cleston Jones	Janice	
Katherine Ross	Yerna Plahn	
Patrick Bledsoe	ERIK PLAKAWIS	
CLINT WAYMAN	Tara Tyrrell	
Dan Larson	Dawn Pickardick	
David McChen	Amanda Beal	
John Quisen	Adam Beal	
Missy Whit		

FOCUS

Reasons we drafted this proposal

1. Imminent TRAKKER failure
2. Sustainability of BCIO operations
3. Public desire for a more convenient way to make reservations
4. Public desire for more Rangers and improved conditions in the backcountry

This proposal is primarily in response to customer feedback and it seeks to increase customer service and improve customer experience.

An online reservation system will make obtaining backcountry reservations quick, easy and convenient for customers, as well as increase customer access to Backcountry Office personnel for backcountry trip planning information. More Rangers in the backcountry will improve visitor experience by helping identify and address deficiencies or problems and increase permit compliance.

TRENDS IN PUBLIC COMMENTS AS OF 8/16/11

In general, an online reservation system may be OK, as long as it is not Rec.gov and there is little cost.

There are no discernible trends in preferred cost or cost structure yet, but there is a good bit of interest in creating an annual backcountry pass if the proposal is implemented

There is some interest in charging an entrance fee, fee for Cades Cove or for charging stock users.

Primary concerns expressed in public comments

- (1) skepticism that money and people will not be used to support the backcountry
- (2) Many do not like Rec.gov (e.g., not user friendly, don't want money to go to a contractor)
- (3) Some feel if the proposal were to be implemented, it will require several field Rangers to make a difference
- (4) Don't want the backcountry experience to be unaffordable

Appalachian Trail

Feedback regarding how AT thru hikers should be addressed is split right down the middle, with equal numbers advocating maximum flexibility for thru hikers and equal numbers for treating them just like any other hiker with regard to reservations and fees.

TRENDS IN MISINFORMATION

- (1) Treating examples of reservations fees at other sites as if that is what we are proposing here (e.g., GLAC = \$30)
- (2) Confusion as to what the park is legally able to do in regard to charging fees
- (3) 72 window required for making reservations—our proposal would allow up to the minute reservations
- (4) The meaning of camper nights
- (5) Don't understand difference between full-time vs. seasonal staff
- (6) Charging day hikers—we've never proposed doing this



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

F5419 (2608)

AUG 26 2011

Memorandum

To: Regional Director, Southeast Region
Attention: Superintendent, Canaveral National Seashore
Superintendent, Big Cypress National Preserve
Superintendent, Great Smoky Mountains National Park
Superintendent, Castillo de San Marcos National Monument
Superintendent, Fort Sumter National Monument
Superintendent, Chattahoochee River National Recreation Area

From: Acting Associate Director, Business Services *J. Mize acting*

Subject: Approval to Implement Fee Change at Canaveral National Seashore;
Initiate Public Participation for Fee Rate Changes in 2012 at Big Cypress
National Preserve, Great Smoky Mountains National Park and Castillo de
San Marcos National Monument and Denial of Initiating Public
Participation for Fee Rate Changes at Fort Sumter National Monument
and Chattahoochee River National Recreation Area

The Deputy Director, Operations has reviewed and approved your request to implement a \$5 per-vehicle entrance fee instead of \$3 per-person fee and maintain the current \$35 park annual pass at Canaveral National Seashore to align with the same fees at Merritt Island National Wildlife Refuge. Please notify Jane Anderson with the actual date of implementation.

You are also approved to begin public participation about fee rate changes at Big Cypress National Preserve, Great Smoky Mountains National Park, and Castillo de San Marcos National Monument (See Attachment 1). Once public participation events have been completed and analyzed, the region should submit their completed implementation plans including complete descriptions of public participation (See Attachment 2) to Jane Anderson via e-mail at: jane_anderson@nps.gov, by October 31, 2011. The WASO Fee

Office will submit your responses to the Associate Director, Business Services and the Deputy Director, Operations for approval. Once the region receives final approval, any changed fees may be implemented no earlier than January 1, 2012.

Your request for initiating public participation for fee rate change at Fort Sumter National Monument and Chattahoochee River National Recreation Area has been denied. If you would like to discuss it further with the Deputy Director, Operations please contact her office at (202) 208-3818.

If you have any questions about this memo, please contact Jane Anderson, WASO Deputy Fee Program Manager, via e-mail, or by telephone at (303) 987-6902.

cc: Regional Fee Manager, Southeast Region

Attachments (2)

Attachment 1

Region	Priority	Park	<i>Request APPROVED to proceed with Public Participation for FLREA Fee Changes</i>	<i>Compelling Reason</i>
SER	#2	Big Cypress	Increase fees at two front-country campgrounds; start charging for four front-country campgrounds, two backcountry campgrounds and charge for backcountry permit	Private campgrounds have petitioned County Commission to issue a resolution to condemn park due to undercutting rates (serious comparability issue).
SER	#3	Great Smoky Mountains	New fee for backcountry camping/shelter reservation	Recover contract line item number costs associated with joining Recreation.gov. Price to be determined during civic engagement.
R	#4	Castillo de San Marcos	Increase entrance fee to \$7 per person from \$6 per person	Recover lost FLREA revenue resulting from increased transportation fee (\$1 to \$2) approved in 2011. This rate change will align the per person rate with the Servicewide pricing model.

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region:

Park:

Superintendent:

Designated Park Contact for Recreation Fees:

Phone:

Fax:

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
						Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date: NA**

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
						Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee?

If yes, please list your change from current _____ days to _____ days. Current length of stay _____ days.

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION	# of Effected Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/ N	DISCOUNTS ALLOWED?
See sample below - *						
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access

List all **NEW** expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access

PUBLIC PARTICIPATION—REQUIRED ACTIVITIES

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public **prior** to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation and Notification Guidelines* for detailed explanation. **If you have not engaged the public about the proposed fee change, then you cannot request the change until the following is completed.** If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Group Engagement	Method Used	Date Occurred	Comments Received – Both Positive & Negative
Section I Congressional Delegation <i>Examples include National Delegation, State Delegation, and Local Delegation</i>			
Section II Nearby Federal, State, and County Officials <i>Examples include Federal Agency Staff, State Park Officials, City Government, County Commissioner, and Town Mayor</i>			
Section III Stakeholders: <i>Examples are Chamber of Commerce, Rotary Clubs, Concessioners, Friends Groups, Local Business, or Special Emphasis Groups.</i>			
Section IV Commercial Tour Operators – <i>One year in advance if the per person fee increase will impact their operation.</i>			
Section V Public Involvement: <i>At a minimum, one or more of these activities must occur. These might include: public meetings/open house; soliciting opinions through local media or internet; surveys/comment cards; radio “community news” programs; charrettes – consensus building; workshops; interpretive walks; publication on park website; park newspaper</i>			

- 4
1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

Please advise us if this is a:

***** **NEW FEE AREA******* (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *****

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.
- 2. Reasons for eliminating fee.
- 3. Estimated loss of annual revenue due to elimination of fee.

Revised 1/7/2011

Total Public Written Comments Received = 230

Comments

Use of Recreation.Gov

Do not like/want us to use this site	14
Not user Friendly	12
Don't want to give \$ to Rec.gov/contractor--park should develop its own system	9

New Reservation System/Online System/Reservations

Online will make reservations easier/want it	12
Current system "Broken"	1
Don't want/need online system/want to talk to person with knowledge of GRSM	10
backcountry/current system OK	1
New system should reward those who cancel reservations	10
Want all sites reserved	8
Do not want all sites reserved	12
Want freedom/the less gov control or hassle in process the better	3
Online system should have a strong educational focus/consider having a quiz or mandatory acknowledgment of certain information	4
GRSM BCIO Staff is great/Great Customer Service from BCIO	2
BCIO understaffed	1
BCIO should be staffed by NPS personnel	4
Less people will take advantage of trip planning because it will be a two-step process with planning and reservations. Will result in more users being unprepared and getting hurt	1
Keep 30 day advance as is. More time will result in more folks not keeping reservations.	2
Increase window for reservations. This is important for commercial interests.	

Fees---General Comments

No refunds should be allowed---encourages folks to keep reservations	1
Should get partial refund for cancellation-good incentive to cancel	1
Have already paid with our taxes/Proposed fee is new tax	28
Backcountry users should have to pay	2
Fees make BC camping almost as much or more than FC--not fair	16
Can't afford proposed fees/makes public lands unavailable to all	13
Consider fees/reservations only for sites already "reservation only"	7
If we implement fees they should be "reasonable/low/modest/affordable/nominal"	27
Fee Overdue	1
Fee OK if we do what we say we will	6
Fees will increase in short amount of time and more will follow	5
Park legally cannot or morally should not charge BC fees/BC fees viewed same as entry fees	15

Have entry fee instead/charge at other locations (e.g., Cades Cove, Dome)/get \$ from somewhere else (e.g., Friends, motel taxes, citations)	31
Fees will negatively impact the backcountry experience	2
Fees will positively impact the backcountry experience	2
Use more VIPs, not paid staff	42
Have fee only during high season	2
Why pay when chance of getting caught will still be slim?	3
Charge dayhikers--they do more damage	2
Only charge for large groups	1
Charge fishermen--they cause lots of damage to BC	2
Use fee is asking users to pay for amenities when none exist or will exist in the BC	3
Fees will hurt local economy	1
Park gets enough money and if they managed it well or did not misappropriate it, they would have enough	18

Fees---Structure and Cost Preference

\$5/campsite \$10/shelter	1
<\$5 per reservation/permit	4
\$15 - \$20 per trip	1
\$10 per reservation + \$5 per person	4
\$4 per person per night	9
\$15 per reservation + \$5 per person is too high	1
\$10 - \$20 per trip	5
\$8 - \$10 per horse	1
No more than \$8 per person	1
No more than \$10 flat fee	1
Stock users should pay more	15
Like fee structure at GRCA & ZION	1
Consider fee structure like BISO--flat fee based on number of people	5
Prefer a per night fee	1
Have a varying fee structure that allows user to choose the most economical for them	1
There should be some type of pass for frequent users (speciality pass, NPS pass, Golden Age, VIP, local, Friends Members should get free pass)	24

Backcountry Management

2 Rangers is not enough to make a difference/won't be able to hire enough ranger to make a difference	6
Need improvements/more attention in BC (e.g., site conditions/shelter overcrowding/ folks camping without permit).	5
Need more Rangers in BC	13
Don't need more rangers in BC	5
Ridgerunner are great/Need more positions like them not more rangers	1
Experience with Ranger in BC has been negative	1
Some of fees should support trail maintenance	3
Horses cause unacceptable levels of damage to trails and campsites	18

Education, not enforcement is the key	1
Favor zone/dispersed camping	2
Simply add more bear cables	1
Cart use creates many problems, should be banned	1
Small population is being unfairly singled out to pay fee/unfair/these are park's best supporters/"purest users"/fee is offensive to this population because of their love of and support for park	34
Haven't seen/experienced any of the problem we mentioned in the proposal	11
Put rangers on horses to make make most of their time covering the BC	3

Perceived Consequences if fees are Implemented

I'll hike elsewhere	10
If we have to pay, we expect to see a difference for the better	5
Decreased visitation	15
Decreased VIP support	4
Fee will encourage more folks to camp illegally and/or mistreat the BC	8

Other

Should do an EA	1
Want full budget disclosure--detailed projections	2
Some consideration should be given to youth, churches, schools and other non-profits	3
Want more time for public comment	9
Comments period is "just for show"	2
Want follow-up meetings	1
Should have included BC users in proposal development	1
Skeptical fees will be used as park says/strong message to park that if proposal goes through public wants to see results/Do it right or don't do it at all/"Big fallout" from users if results not seen	26
Potential for reservations to be scalped	1
Concern about charging reserachers for permits	2
Park management does not consider the BC a priority/BC is after thought to park management/if a priority mgmt would find a way to fund from current budget.	4

Appalachian Trail, BMT, MST

AT thru hikers do what they want and create problems for other users	3
AT Thruhikers should have to make reservations, too	1
AT Thruhikers should have to pay	1
AT Thruhikers should not have to pay	1
AT, BMT and MST thru hikers need max flexibiliy and should be exempt from reservations and fees	10
AT thru hikers get too much preference as is	1
MST and BMT thruhikers should be treated same at AT	1

Questions

How will cross country permits be handled?

How will refunds be handled?

Under what circumstances will a refund be issued?

How will fee affect visitation?

How will system affect thru hikers?

Will Volunteers have to pay either on or off duty?

Will researchers have to pay when conducting park approved projects?

What happens if you can't get to your site (e.g. blowdowns, weather, poor trip planning)?

How many paid staff are in the BCIO?

Has the park contracted with Rec.gov yet?

Misperceptions

Example fee rates from other parks are what we propose here

Proposal is set in stone--done deal

RG requires 72 hours advance

Park keeps money from citations (this could be a source of funds)

Park can get money from state and local taxes (this could be a source of funds)

Park can't charge a use fee

We can use any funds we receive in any manner we want

BC campers do not currently have to plan their itinerary in advance. They can fill out their permit

AFTER or during their trip. They do not have to have a permit with them. They can change their permit as they go.



Comments re Rec.gov

Melissa_Cobern@nps.gov <Melissa_Cobern@nps.gov>
To: Rick_Delappe@nps.gov

Mon, Sep 19, 2011 at 1:10 PM

Rick ,

15% of written comments on our proposal offered some feedback regarding Rec.gov.

While some of those 15% don't like the idea of paying a contractor, all of them made remarks about Rec.gov not being user friendly in some way. In general, they felt that it is difficult to find the information they are looking for on the site and that reservations take too long to make (presumably because they can't find what they need quickly?).

A couple of folks were downright ugly about it. One stated something to the effect that a monkey could come up with a better system than Rec.gov. I wonder if the person meant a trained monkey or just any old monkey. I think we can get any old monkey on GSA schedule, but trained monkeys are difficult to come by.

Thanks for your help and hope you have a great birthday and a safe trip!

Melissa K. Cobern
Great Smoky Mountains National Park
Backcountry Management Specialist
865-436-1264

Clayton Jordan

main

From: Clayton_Jordan@nps.gov
Sent: Thursday, October 27, 2011 2:11 PM
To: Kevin_Fitzgerald@nps.gov
Subject: Fw: ALDHA Fee Resolution

Kevin:

FYI, please see below. BTW, on a more positive note, last week Melissa attended a meeting of the ATC's South Regional Partnership Committee where they discussed the proposal. The committee passed a resolution (by one vote) endorsing the proposal. As I understand it, though, this is a local action and not the official position of the ATC as that would come out of Harpers Ferry. ALDHA's action described below influenced some of the discussion but you will be glad to know that Melissa reports that Morgan (with Andrew's assistance) played an active role in helping to explain the merits of the proposal...

Clay

Clay Jordan
Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244

----- Forwarded by Clayton Jordan/GRSM/NPS on 10/27/2011 01:51 PM -----

Melissa
Cobern/GRSM/NPS

To
10/25/2011 09:46 AM Clayton_Jordan/GRSM/NPS@NPS
cc

Subject
Fw: ALDHA Fee Resolution

Clay,

The Appalachian Long Distance Hiking Association resolution I was telling you about is attached.

Nothing new here--Looks like they cut and pasted the exact language from the online petition and added point #5.

Melissa K. Cobern
Great Smoky Mountains National Park
Backcountry Management Specialist
865-436-1264

----- Forwarded by Melissa Cobern/GRSM/NPS on 10/25/2011 09:32 AM -----

Morgan
Sommerville
<msommerville@appalachiantrail.org> To
Melissa_Cobern@nps.gov
cc

10/24/2011 05:01 PM Subject
ALDHA Fee Resolution

Hi, Melissa. I think I forgot to send you this. Attached is the Appalachian Long Distance Hikers Assoc. resolution regarding permit fees for the Smokies.

Morgan Sommerville
Regional Director
Appalachian Trail Conservancy
160A Zillicoa Street
Asheville, NC 28801
Phone: 828.254.3708 x12
Mobile: 828.551.4873
Fax: 828.254.3754
msommerville@appalachiantrail.org
www.appalachiantrail.org

The Appalachian Trail Conservancy's mission is to preserve and manage the Appalachian Trail – ensuring that its vast natural beauty and priceless cultural heritage can be shared and enjoyed today, tomorrow, and for centuries to come. To become a member, volunteer, or learn more, visit www.appalachiantrail.org. (See attached file: ALDHA Resolution-GSMNP Backcountry fee proposal.doc)

GREAT SMOKIES BACKCOUNTRY FEES

Motion: Whereas the Great Smoky Mountain National Park is considering charging fees for the use of backcountry campsites, ALDHA opposes fees for hiking/backpacking/camping/shelter use for the following reasons:

1. NPS-provided data demonstrates that backcountry use in the GSMNP has significantly declined from a peak approximately 15 years ago.
2. The assignment of fees to backcountry users' irresponsibility targets the group of individuals who are most likely to protect the Park and its resources, yet fails to address the significant damage to the Park wrought by front country visitors.
3. It is unlikely that all the funds collected under the proposal would, in practice, actually find its way to improve on those experiences that people have in the backcountry.
4. In the extremely difficult financial times for many individuals and families, the Park's timing for this proposal is unseasonable and will induce financial hardships on some of its finest and future stewards.
5. The procedures needed to collect these fees from AT Hikers would indeed be a concern because of the logistics involved.

And perhaps, most importantly,

The GSMNP is prohibited from charging an entrance fee under deed restriction imposed at the time of the Park's formation. ALDHA is concerned that enacting a fee for the use of the backcountry violates the spirit of the original Park agreement, which was to provide a resource "for the permanent enjoyment of the people."

Clayton Jordan

Mad

From: Kevin_Fitzgerald@nps.gov
Sent: Thursday, November 03, 2011 2:23 PM
To: Marianne_Mills@nps.gov; Clayton_Jordan@nps.gov; Melissa_Cobern@nps.gov
Cc: bob_miller@nps.gov; dale_ditmanson@nps.gov; nancy_gray@nps.gov
Subject: Re: DCN: NPS0008621 - Constituent concern regarding plans of management at (GRSM) Great Smoky Mountains charging a user fee for overnight backcountry camping

Clay/Melissa,
Please draft a brief response to this by November 10.

Thanks

Kevin FitzGerald
Deputy Superintendent
Great Smoky Mountains National Park
865-436-1202 Office
865-712-3040 Cell
865-436-1204 Fax

marianne_mills@nps.gov

To
11/03/2011 01:40 PM bob_miller@nps.gov,
dale_ditmanson@nps.gov,
kevin_fitzgerald@nps.gov,
nancy_gray@nps.gov
cc

Subject
DCN: NPS0008621 - Constituent
concern regarding plans of
management at (GRSM) Great Smoky
Mountains charging a user fee for
overnight backcountry camping

I'm forwarding this to you directly out of the Data Tracking System and it doesn't "allow" generic mailboxes (like GRSM Superintendent) so I've sent it to Dale, Kevin, Nancy, and Bob.

Whoever at GRSM: Please prepare a draft response to this letter for RD signature and have back to me by November 14. I'll get you a copy of the final letter. Thanks -

Marianne M.

(See attached file: 2011 09 30-Roe.PDF)

DAVID P. ROE
1ST DISTRICT, TENNESSEE

EDUCATION AND WORKFORCE
VETERANS' AFFAIRS

Congress of the United States
House of Representatives
Washington, DC 20515-4201

COUNTIES: ^{DH}
CARTER 10/7
COCKE
GREENE
HAMBLEN
HANCOCK
HAWKINS
JEFFERSON
JOHNSON
SEVIER
SULLIVAN
UNICOI
WASHINGTON

September 30, 2011

Ms. Elaine Hackett
Congressional Liaison
National Park Service
U.S. Department of the Interior
1951 Constitution Avenue
Washington, DC 20245-0003

RE: Morgan Briggs
1008 Trotter Way
Pigeon Forge, TN 37863

Dear Ms. Hackett,

The attached correspondence from Morgan Briggs is self-explanatory.

I will appreciate your checking and allowing me information on which to base a reply.

Sincerely,



David P. Roe
Member of Congress TN-01

DPR/ic

KINGSPORT HIGHER EDUCATION CENTER
205 REVERE STREET
POST OFFICE BOX 1728
KINGSPORT, TN 37660
PHONE: 423-247-8161
FAX: 423-247-0119

WASHINGTON
419 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: 202-225-6356
FAX: 202-225-5714

PRINTED ON RECYCLED PAPER

www.roe.house.gov

ON THE CAMPUS OF WALTERS STATE
1609 COLLEGE PARK DRIVE, SUITE 4
MORRISTOWN, TN 37813
PHONE: 423-254-1400
FAX: 423-254-1403

5130977

SEP 27 2011

WEDNESDAY
SEPT. 22, 2011
MORGAN BRIGGS
1008 TROTTER WAY
PIGEON FORGE, TN
37863

U.S. Rep. Phil Roe
PO. Box 1728
Kingsport, TN. 37662

I suppose you've heard the bad news? THE SUPERINTENDENT AND MANAGEMENT OF GREAT Smoky Mountains NATIONAL PARK IS PLANNING TO CHARGE A USER FEE FOR OVERNIGHT BACKCOUNTRY CAMPING. THERE HAS NEVER BEEN A CHARGE FOR BACKCOUNTRY CAMPING IN THIS PARK. WHY NOW?

THERE WILL BE NO EXCEPTIONS. Boy Scout Troops, Church Groups, Clubs and individuals will be charged. There will be NO EXCEPTIONS FOR AGE, SUCH AS UNDER 10 OR OVER 65.

They are proposing a \$10⁰⁰ charge for each campsite plus \$5⁰⁰ for each additional person. Most hikers spend multiple nights in the backcountry. A group of 4, visiting 4 campsites would be \$100⁰⁰. This doesn't seem practical.

IN THE EARLY SPRING the park is SATURATED with Spring-Breakers (College students). They are on a limited budget and visit the Smokies BECAUSE they can backpack at NO CHARGE. What will happen when these SPRING BREAKERS

CONVERGE ON THE PARK, NOT KNOWING THAT they will be charged for backpacking?

What about the people from Florida or Michigan or Ohio who come maybe once a year for a trip of two or three days in the BACKCOUNTRY? I GUESS the RANGERS will stay busy writing tickets.

Where will this "USER FEE" end? There is already talk of charging for fishing in the park. Will we have to pay to visit CADES COVE OR CATAWOOCH VALLEY? Will we be charged to go into the picnic AREAS OR to walk to a WATERFALL?

I'm strictly AGAINST ANY "USER FEE" in the park.

Sincerely,

Morgan Briggs



New Fee Implementation Plan: GRSM

Clayton_Jordan@nps.gov <Clayton_Jordan@nps.gov>

Tue, Nov 8, 2011 at 5:53 PM

To: Richard_Devenney@nps.gov

Cc: Melissa_Cobern@nps.gov

Hello Richard:

This is ready to go. Please reach out to me with any questions or concerns. Melissa has been in regular touch with Rick and he knows we're working on it. If you would confirm with us when it moves forward to WASO we would appreciate it. Thanks much for your patience.

Clay

(See attached file: GRSM 2012 Fee Implementation Plan FINAL.doc)

Clay Jordan
Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244

GRSM 2012 Fee Implementation Plan FINAL.doc
104K

Richard_Devenney@nps.gov <Richard_Devenney@nps.gov>

Tue, Nov 8, 2011 at 6:05 PM

To: Clayton_Jordan@nps.gov

Cc: Melissa_Cobern@nps.gov

Thanks Clay-

I've been in touch with Jane in WASO about this one. I plan to submit the request to the RD for approval of yours and CASA's tomorrow. These should go forward to WASO on Thursday afternoon.

I'll let you know when its been accepted by WASO.

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov

Clayton Jordan/GRSM/NPS

Clayton
Jordan/GRSM/NPS

ToRichard Devenney/Atlanta/NPS@NPS

ccMelissa Cobern/GRSM/NPS@NPS

11/08/2011 05:53
PM

SubjectNew Fee Implementation Plan: GRSM

[Quoted text hidden]



GRSM 2012 Fee Implementation Plan FINAL.doc

104K

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region: SER

Park: Great Smoky Mountains

Superintendent: Dale Ditmanson

Designated Park Contact for Recreation Fees: Bob Wightman

Phone: 865-436-1261 **Fax:** 865-436-1244

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date:** NA

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee? NA

If yes please list your change from current ____ days to ____ days. Current length of stay_____

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION See sample below - *	# of Effectuated Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/ N	DISCOUNTS ALLOWED?
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access
See attached schedule of expanded amenity fees fees						

List all **NEW** expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access
Backcountry campsites/shelters	Camping	101	\$4 per person per night	1/1/13	717	None

PUBLIC PARTICIPATION—REQUIRED ACTIVITIES

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public **prior** to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation and Notification Guidelines* for detailed explanation. **If you have not engaged the public about the proposed fee change, then you cannot request the change until the following is completed.** If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Group Engagement	Method Used	Date Occurred	Comments Received – Both Positive & Negative
Section I Congressional Delegation Examples include National Delegation, State Delegation, and Local Delegation			
See Attached Summary			
Section II Nearby Federal, State, and County Officials Examples include Federal Agency Staff, State Park Officials, City Government, County Commissioner, and Town Mayor			
See Attached Summary			
Section III Stakeholders: Examples are Chamber of Commerce, Rotary Clubs, Concessioners, Friends Groups, Local Business, or Special Emphasis Groups.			
See Attached Summary			
Section IV Commercial Tour Operators – One year in advance if the per person fee increase will impact their operation.			
No written comments were received, though no special effort was made to contact this group as they are not expected to be impacted from this proposal.			
Section V Public Involvement: At a minimum, one or more of these activities <u>must</u> occur. These might include: public meetings/open house; soliciting opinions through local media or internet; surveys/comment cards; radio “community news” programs; charrettes – consensus building; workshops; interpretive walks; publication on park website; park newspaper			
See Attached summary			

1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

The proposed fee was determined to recover the direct costs for providing a reservation system with both internet and phone-in reservation capability, increased public access to trip planning assistance and permit compliance monitoring.

A comparability study of other NPS sites was also performed. Rates at other large parks with similar backcountry characteristics are as follows:

- ROMO, YELL: \$20 per group.
- GRTE: \$25 per group.
- YOSE: \$5 per group + \$5 per person.
- GLAC: \$30 per group + \$2.50-\$7 per person (depending on age).
- OLYM: \$5 per group+ \$2 person, per night.
- GRCA: \$10+ \$5 per person, per night.

Three possible fee structures were provided for public comment. Based on feedback received during the civic engagement process, \$4 per person per night is the fee rate and structure most preferred for GRSM. This rate and structure provides for cost recovery and is more equitable for all users than a flat fee. That is, customers who stay for shorter periods of time are not penalized by having to pay the same as those staying longer. Based on GRSM user statistics, this fee structure benefits the majority of backcountry users, as the average length of stay is two days.

Please advise us if this is a:

******* NEW FEE AREA******* (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *****

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.**
- 2. Reasons for eliminating fee.**
- 3. Estimated loss of annual revenue due to elimination of fee.**

ⁱRevised 1/7/2011

Great Smoky Mountains National Park Expanded Amenity Fees

Family Campgrounds

Abrams Creek	\$14
Balsam Mt	\$14
Big Creek	\$14
Cades Cove	\$17 - \$20
Cataloochee	\$20
Cosby	\$14
Elkmont	\$17 - \$23
Look Rock	\$14
Smokemont	\$17 - \$20

Group Campsites

Big Creek	\$44
Cades Cov	\$35 - \$65
Cataloochee	\$35
Cosby	\$26
Deep Creek	\$35
Elkmont	\$26 - \$53
Smokemont	\$35

Horse Camps

Anthony Creek	\$20
Big Creek	\$25
Cataloochee	\$20
Round Bottom	\$20
Tow String	\$20

Picnic Pavillions

Big Creek	\$0
Cades Cove	\$0
Chimneys	\$0
Collins Creek	\$20
Cosby	\$20
Deep Creek	\$20
Greenbrier	\$10
Heintooga	\$0
Look Rock	\$0
Metcalf Bottoms	\$20
Twin Creeks	\$35 - \$75

Appalachian Clubhouse \$400 - \$600

Summary of GRSM Civic Engagement Process and Outcome

Public Scoping Process

- During the weeks of July 25th and August 1st a detailed briefing of the fee proposal, including instructions for submitting comments, was widely distributed to all potentially interested park partners and other NGO's, CUA holders, local Congressional delegations, and state and local elected representatives and government officials. This briefing was also posted by a recipient onto a popular local public blog site.
- Phone calls were made to the delegations, CUA holders, partners and local officials.
- press release on the proposal, including information on public meetings and instructions for submitting comments, was distributed during the week of July 25, 2011. This was followed up with a second press release the week of August 8th to remind the public of the scheduled public meetings.
- Numerous media interviews were granted with television, radio, internet, and print media during late July and August.
- Two scheduled public open houses were attended by the general public: August 16, 2011, Cherokee, North Carolina (attended by 35 citizens); August 18, 2011, Gatlinburg, Tennessee (attended by 45 citizens).
- Responded to an invitation to address membership at a partner NGO meeting on the proposal.
- Written public comments were received through August 26, 2011.
- Park staff monitored several public blog threads addressing the proposal.

Outcome of Public Scoping

Feedback of Congressional Delegation and Nearby Federal, State, & County Officials: No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of seven counties neighboring the park) who were against any backcountry camping fees in principle.

Feedback of Stakeholder Organizations: No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed and, as such, no formal position was received from the NGO within the time constraints but Park and NGO staffs continue to engage to resolve specific areas of concern. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.

✓ **Feedback of General Public:** A total of 230 written comments and one petition were received from the general public, followed by a second petition received after the deadline. As with most new fee proposals, controversy exists in this proposal and—knowing that in public comment processes opponents to a proposal tend to be more motivated to respond than supporters—as expected, more comments expressed general opposition or specific concerns than support for the proposal. A significant number of responses received, though, either showed support for the proposal or offered substantive comments toward improving the proposal. The perception of Park staff is that most respondents are relatively local, frequent overnight users, who are well familiar with the park's backcountry. A stakeholder group, though, perhaps not well-represented in the comments is the less-frequent backcountry users who travel from outside the area. These stakeholders, though large in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.

Two petitions were received expressing opposition to the proposal. However, it is unclear for one petition what information signers received about the proposal other than the possibility of a fee. A second petition, coordinated online, lists as its most important tenant the misperception that the Park cannot collect an expanded amenity fee for backcountry camping due to a deed restriction that prohibits the park from charging an *entrance* fee. Although the park has frontcountry camping fees, signers of this petition felt that backcountry camping fees violate the spirit of the park's original agreement regarding entrance fees.

Most substantive respondent comments tended to fall into one of several categories and the commonly expressed points are summarized as follows:

- **General principle of charging a fee for overnight backcountry users:** Though a number of respondents supported the concept that such a fee is appropriate to be collected and used as proposed, the majority of respondents were opposed to any new fee. Some of the opposition seems to be philosophical based; some based on the perception that visiting the park was intended to be "free" by its founders; some based on the objection that overnight backcountry users have to pay a fee while many other park users pay none; some based on the opinion that the Park should be able to absorb the increased costs with existing funding allocations; and some based on the perception that some users cannot afford the fee.
- **Fee rate and structure:** General concern was expressed about keeping any fees reasonable. The most support was shown for a fee of \$4 per person, per night fee structure, one of three fee structure options forwarded to the public for consideration. This rate and structure was perceived as having the least financial impact to the average GRSM backcountry permit holder and seemed to many responders to be the most equitable (i.e. cost directly equates to extent of use). Many respondents, though, felt that horse users should pay more, while others were in support of a frequent user pass
- **Reservation system:** Some respondents thought an expanded reservation system was appropriate and that Recreation.gov or another online system would be a worthwhile improvement. Other respondents objected to the use of Recreation.gov due to their perception that it is cumbersome to use or that the revenues should be used to employ local call handlers familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
- **Thru hikers:** Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.
- **Desired outcome if the proposal is implemented:** Some respondents expressed distrust that funds would be used as promised, while others were supportive of the fee as long as used as intended. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though a few expressed doubt that two rangers would make much of a difference.

Management Position: After evaluating all comments received, park management feels that the benefits from the services proposed outweigh the ramifications of imposing a new fee. It appears that most issues of concern that go beyond the philosophical issue of imposing any fee can be satisfactorily addressed in the design of a reservation system and its subsequent implementation. The Park has learned much by engaging the public in this process and that many real concerns and constructive recommendations came out of it. The Park plans to work closely with partners to ensure continued input into the evolution of the proposal if this Fee Plan is approved.



United States Department of the Interior



IN REPLY REFER TO:
A9031

NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., SW.
Atlanta, Georgia 30303

NOV 17 2011

The Honorable David P. Roe
Member, House of Representatives
419 Cannon House Office Building
Washington, DC 20515-4201

Dear Mr. Roe:

Thank you for your letter, dated September 30, 2011, on behalf of your constituent, Morgan Briggs, regarding the backcountry reservation and permit system restructuring proposal for Great Smoky Mountains National Park. As stewards of public lands, the National Park Service (NPS) constantly explores a variety of means to most effectively respond to visitor needs while protecting park resources, employees, and visitors.

As part of the proposed restructuring of the backcountry reservation and permit system, we presented three **example** fee structures for public consideration. The costly fee structure that Mr. Briggs describes was never proposed. Our preferred alternative, based largely upon public feedback and fairness to all users, is a proposed fee of \$4 per person per night. Park backcountry use statistics indicate that this option is more economical for the typical park backcountry user than the other options considered. In his letter, Mr. Briggs also mentions a possible fee for fishing in the park. There have not been any management discussions regarding fees for fishing.

We appreciate this opportunity to clarify the proposed fee structure and address Mr. Briggs' concerns. If you have further questions on this topic or any other aspect of the management of Great Smoky Mountains National Park, please contact Superintendent Dale Ditmanson at (865) 436-1201. Thank you for your continued interest in and support of the NPS.

Sincerely,

David Vela
Regional Director
Southeast Region

TAKE PRIDE[®]
IN AMERICA

Richard
Devenney/Atlanta/NPS

11/22/2011 02:49 PM

To Jane Anderson/WASO/NPS@NPS

cc

Subj Re: SER submission for fee rate changes
ect Notes Link

Sorry about the delay, but David wanted to personally review and sign these so the DRDs had to wait until he returned-

Attached are the plans for GRSM and CASA, along with a memo from the RD to the AD, Bus Svcs indicating his approval.

If you need anything else, please let me know. I will be out of the office until Monday, but will be working on Wed and Fri remotely.

Thanx much-



FY 2012 Rec Fee Implementation Plan Castillo de San Marcos.doc



GRSM 2012 Fee Implementation Plan FINAL.doc



RD WASO plan approval memo.pdf

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., S.W.
Atlanta, Georgia 30303



F5419 (5072)

NOV 22 2011

Memorandum

To: Associate Director, Business Services, WASO
From: Regional Director, Southeast Region *Dantele*
Subject: Exception Requests for New/Increased Fees in the Southeast Region

This formal approval is provided in response to the Director's January 31, 2011, memo requiring a Regional Director's approval of implementation plans for parks that plan on increasing or establishing new fees under the Federal Lands Recreation Enhancement Act (FLREA).

The Southeast Region is recommending that Castillo de San Marcos National Monument (CASA) and Great Smoky Mountains National Park (GRSM) both be granted final approval to proceed with the implementation of increasing fees at each site.

The request for CASA is to increase their daily entrance fee from \$6 to \$7 per adult. CASA currently takes \$1 from each \$6 fee to fund the transportation system. The park proposed and received approval to increase the amount to \$2 per adult entrance fee per the terms outlined in the Alternative Transportation System review conducted by Booz Allen Hamilton, working for WASO. The park is requesting the fee increase to offset the change in the transportation system funding. The park has completed extensive reviews of the surrounding private tourist facilities and even considering the increased pricing model, the park would still remain lower than the local community by more than half for a family of four.

GRSM is proposing to institute a new fee for backcountry camping and shelter reservation and use. The park currently does not charge for these reservations and is proposing to begin charging a fee to cover the service charges and related costs of including these sites on the National Recreation Reservation Service (NRRS). Having these sites on the NRRS will improve customer service for visitors wishing to reserve these sites as they will now have 24/7 access to make and/or change reservations rather than having to call the park during normal business hours.

Big Cypress National Preserve (BICY) received approval to move forward with civic engagement activities; but due to the date of receipt of this approval, has delayed their civic engagement activities until late this calendar year and early in calendar year 2012. This will allow the park to conduct very



thorough civic engagement processes and will engage all prospective user groups. The park will submit their implementation plan in calendar year 2012 with plans to implement in January 2013.

Copies of both park's implementation plans are attached to this memo. Each park has identified the reasons for their request and have included projections for the additional revenue expected and proposed uses for this new revenue. Both park plans have been reviewed and approved by the Southeast Region. Each park will implement the increased fee in January 2012 or later.

Any questions can be directed to the Regional Fee Program Manager, Richard Devenney, at 404-507-5640, or by e-mail at Richard_Devenney@nps.gov.

Attachments

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region: SER

Park: Great Smoky Mountains

Superintendent: Dale Ditmanson

Designated Park Contact for Recreation Fees: Bob Wightman

Phone: 865-436-1261 **Fax:** 865-436-1244

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date:** NA

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee? NA

If yes please list your change from current ____ days to ____ days. Current length of stay _____

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION	# of Effected Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/ N	DISCOUNTS ALLOWED?
See sample below - *						
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access
See attached schedule of expanded amenity fees fees						

List all **NEW** expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access
Backcountry campsites/shelters	Camping	101	\$4 per person per night	1/1/13	717	None

PUBLIC PARTICIPATION—REQUIRED ACTIVITIES

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public **prior** to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation and Notification Guidelines* for detailed explanation. **If you have not engaged the public about the proposed fee change, then you cannot request the change until the following is completed.** If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Group Engagement	Method Used	Date Occurred	Comments Received – Both Positive & Negative
Section I Congressional Delegation <i>Examples include National Delegation, State Delegation, and Local Delegation</i>			
See Attached Summary			
Section II Nearby Federal, State, and County Officials <i>Examples include Federal Agency Staff, State Park Officials, City Government, County Commissioner, and Town Mayor</i>			
See Attached Summary			
Section III Stakeholders: <i>Examples are Chamber of Commerce, Rotary Clubs, Concessioners, Friends Groups, Local Business, or Special Emphasis Groups.</i>			
See Attached Summary			
Section IV Commercial Tour Operators – One year in advance if the per person fee increase will impact their operation.			
No written comments were received, though no special effort was made to contact this group as they are not expected to be impacted from this proposal.			
Section V Public Involvement: <i>At a minimum, one or more of these activities <u>must</u> occur. These might include: public meetings/open house; soliciting opinions through local media or internet; surveys/comment cards; radio “community news” programs; charrettes – consensus building; workshops; interpretive walks; publication on park website; park newspaper</i>			
See Attached summary			

1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

The proposed fee was determined to recover the direct costs for providing a reservation system with both internet and phone-in reservation capability, increased public access to trip planning assistance and permit compliance monitoring.

A comparability study of other NPS sites was also performed. Rates at other large parks with similar backcountry characteristics are as follows:

- ROMO, YELL: \$20 per group.
- GRTE: \$25 per group.
- YOSE: \$5 per group + \$5 per person.
- GLAC: \$30 per group + \$2.50-\$7 per person (depending on age).
- OLYM: \$5 per group+ \$2 person, per night.
- GRCA: \$10+ \$5 per person, per night.

Three possible fee structures were provided for public comment. Based on feedback received during the civic engagement process, \$4 per person per night is the fee rate and structure most preferred for GRSM. This rate and structure provides for cost recovery and is more equitable for all users than a flat fee. That is, customers who stay for shorter periods of time are not penalized by having to pay the same as those staying longer. Based on GRSM user statistics, this fee structure benefits the majority of backcountry users, as the average length of stay is two days.

Please advise us if this is a:

******* NEW FEE AREA***** (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *******

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.**
- 2. Reasons for eliminating fee.**
- 3. Estimated loss of annual revenue due to elimination of fee.**

ⁱRevised 1/7/2011

Great Smoky Mountains National Park Expanded Amenity Fees

Family Campgrounds

Abrams Creek	\$14
Balsam Mt	\$14
Big Creek	\$14
Cades Cove	\$17 - \$20
Cataloochee	\$20
Cosby	\$14
Elkmont	\$17 - \$23
Look Rock	\$14
Smokemont	\$17 - \$20

Group Campsites

Big Creek	\$44
Cades Cov	\$35 - \$65
Cataloochee	\$35
Cosby	\$26
Deep Creek	\$35
Elkmont	\$26 - \$53
Smokemont	\$35

Horse Camps

Anthony Creek	\$20
Big Creek	\$25
Cataloochee	\$20
Round Bottom	\$20
Tow String	\$20

Picnic Pavillions

Big Creek	\$0
Cades Cove	\$0
Chimneys	\$0
Collins Creek	\$20
Cosby	\$20
Deep Creek	\$20
Greenbrier	\$10
Heintooga	\$0
Look Rock	\$0
Metcalf Bottoms	\$20
Twin Creeks	\$35 - \$75

Appalachian Clubhouse	\$400 - \$600
-----------------------	---------------

Summary of GRSM Civic Engagement Process and Outcome

Public Scoping Process

- During the weeks of July 25th and August 1st a detailed briefing of the fee proposal, including instructions for submitting comments, was widely distributed to all potentially interested park partners and other NGO's, CUA holders, local Congressional delegations, and state and local elected representatives and government officials. This briefing was also posted by a recipient onto a popular local public blog site.
- Phone calls were made to the delegations, CUA holders, partners and local officials.
- press release on the proposal, including information on public meetings and instructions for submitting comments, was distributed during the week of July 25, 2011. This was followed up with a second press release the week of August 8th to remind the public of the scheduled public meetings.
- Numerous media interviews were granted with television, radio, internet, and print media during late July and August.
- Two scheduled public open houses were attended by the general public: August 16, 2011, Cherokee, North Carolina (attended by 35 citizens); August 18, 2011, Gatlinburg, Tennessee (attended by 45 citizens).
- Responded to an invitation to address membership at a partner NGO meeting on the proposal.
- Written public comments were received through August 26, 2011.
- Park staff monitored several public blog threads addressing the proposal.

Outcome of Public Scoping

Feedback of Congressional Delegation and Nearby Federal, State, & County Officials: No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of seven counties neighboring the park) who were against any backcountry camping fees in principle.

Feedback of Stakeholder Organizations: No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed and, as such, no formal position was received from the NGO within the time constraints but Park and NGO staffs continue to engage to resolve specific areas of concern. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.

Feedback of General Public: A total of 230 written comments and one petition were received from the general public, followed by a second petition received after the deadline. As with most new fee proposals, controversy exists in this proposal and—knowing that in public comment processes opponents to a proposal tend to be more motivated to respond than supporters—as expected, more comments expressed general opposition or specific concerns than support for the proposal. A significant number of responses received, though, either showed support for the proposal or offered substantive comments toward improving the proposal. The perception of Park staff is that most respondents are relatively local, frequent overnight users, who are well familiar with the park's backcountry. A stakeholder group, though, perhaps not well-represented in the comments is the less-frequent backcountry users who travel from outside the area. These stakeholders, though large in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.

Two petitions were received expressing opposition to the proposal. However, it is unclear for one petition what information signers received about the proposal other than the possibility of a fee. A second petition, coordinated online, lists as its most important tenant the misperception that the Park cannot collect an expanded amenity fee for backcountry camping due to a deed restriction that prohibits the park from charging an *entrance* fee. Although the park has frontcountry camping fees, signers of this petition felt that backcountry camping fees violate the spirit of the park's original agreement regarding entrance fees.

Most substantive respondent comments tended to fall into one of several categories and the commonly expressed points are summarized as follows:

- **General principle of charging a fee for overnight backcountry users:** Though a number of respondents supported the concept that such a fee is appropriate to be collected and used as proposed, the majority of respondents were opposed to any new fee. Some of the opposition seems to be philosophical based; some based on the perception that visiting the park was intended to be "free" by its founders; some based on the objection that overnight backcountry users have to pay a fee while many other park users pay none; some based on the opinion that the Park should be able to absorb the increased costs with existing funding allocations; and some based on the perception that some users cannot afford the fee.
- **Fee rate and structure:** General concern was expressed about keeping any fees reasonable. The most support was shown for a fee of \$4 per person, per night fee structure, one of three fee structure options forwarded to the public for consideration. This rate and structure was perceived as having the least financial impact to the average GRSM backcountry permit holder and seemed to many responders to be the most equitable (i.e. cost directly equates to extent of use). Many respondents, though, felt that horse users should pay more, while others were in support of a frequent user pass
- **Reservation system:** Some respondents thought an expanded reservation system was appropriate and that Recreation.gov or another online system would be a worthwhile improvement. Other respondents objected to the use of Recreation.gov due to their perception that it is cumbersome to use or that the revenues should be used to employ local call handlers familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
- **Thru hikers:** Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.
- **Desired outcome if the proposal is implemented:** Some respondents expressed distrust that funds would be used as promised, while others were supportive of the fee as long as used as intended. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though a few expressed doubt that two rangers would make much of a difference.

Management Position: After evaluating all comments received, park management feels that the benefits from the services proposed outweigh the ramifications of imposing a new fee. It appears that most issues of concern that go beyond the philosophical issue of imposing any fee can be satisfactorily addressed in the design of a reservation system and its subsequent implementation. The Park has learned much by engaging the public in this process and that many real concerns and constructive recommendations came out of it. The Park plans to work closely with partners to ensure continued input into the evolution of the proposal if this Fee Plan is approved.

Clayton Jordan

From: msommerville@appalachiantrail.org
Sent: Wednesday, November 30, 2011 10:57 AM
To: Melissa_Cobern@nps.gov; Clayton_Jordan@nps.gov
Cc: philip.royer@asgarch.com; rittergeo@gmail.com; rhketelle@comcast.net; judyjim@skybest.com; adowns@appalachiantrail.org; Pamela_Underhill@nps.gov; Todd_Remaley@nps.gov; bproudman@appalachiantrail.org; lbelleville@appalachiantrail.org
Subject: GRSM Permit Fee Committee

Hi, Melissa and Clay. Several members of the Smoky Mountains Hiking Club, i.e. Philip Royer, George Ritter and Dick Ketelle, and tentatively, former Smokies A.T. ridge runner Jim Mowbray, along with Andrew Downs and me have agreed to participate in our discussions about the GRSM Permit Fee proposal.

To accomodate Dick Ketelle, face to face meetings will need to be in the evening or on Fridays, and we probably need to include Jim Mowbray via telephone.

All are aware we need to conclude our discussions by the end of January, and that we'll work through at least two alternatives: 1) the proposed GRSM alt., i.e. including everyone under the same permit fee system, and 2) an alternative which deals with the "special needs" of long distance hikers and the other issues raised in ATC's latest comment letter. Our hope is to achieve consensus on a permit system which both improves customer service for backcountry users and is successful in its approach to backcountry management along the A.T.

I have copied NPS A.T. Park Office staff, too, as they are keenly interested in the outcome of these discussions. I believe they are still interested in a "park to park" meeting, as well.

Our first order of business is to get backcountry permit data and A.T.

thru-hiker numbers for the last few years. Would you please provide the permit data?

The second should be to select an initial meeting date. How about the evening of January 10,11 or 12, or during the day on the 13th?

We look forward to working with you.

Morgan Sommerville
Regional Director
Appalachian Trail Conservancy
160A Zillicoa Street
Asheville, NC 28801
Phone: 828.254.3708 x12
Mobile: 828.551.4873
Fax: 828.254.3754
msommerville@appalachiantrail.org
www.appalachiantrail.org

[IMAGE]

The Appalachian Trail Conservancy's mission is to preserve and manage the Appalachian Trail – ensuring that its vast natural beauty and priceless cultural heritage can be shared and enjoyed today, tomorrow, and for centuries to come. To become a member, volunteer, or learn more, visit www.appalachiantrail.org.

Great Smoky Mountains National Park proposal to implement backcountry fee

SER	Great Smoky	New \$4 Per Person Per Night fee for backcountry camping/shelter reservations.	Recover CLIN costs associated with joining Recreation.gov.	For further discussion. Has Superintendent discussed proposal with Jon? Deed restriction issue should be resolved. More outreach needs to be done with protesting groups. Explore options of a lower fee to cover costs.	Notified congressional delegation, state and local officials, park partners, and CUA holders via briefing paper distribution and phone calls. 1 of 7 county commissioners against backcountry fees in general and 1 of many stakeholders against reservation system. Briefing posted on local blog site; press release; 2 public meetings; radio and television interviews. 230 public comments and 2 petitions received. More are opposed to a new fee than in support of it, but of the 3 different proposals the \$4 per person fee was supported most. One petition is based on the opinion that the park should not charge for backcountry since they are deed restricted and cannot charge entrance fees. Park feels the benefits outweigh the negative public response. They would not implement until 2013 since Rec.gov still needs to develop the option. If they are approved now they will be able to move ahead with development of the system – either on their own or through Rec.gov. Revenue estimate \$300K and will fund 3 permit staff and 2 backcountry seasonal staff and software/contractor costs. 1 perm staff +VIPS currently assigned. Their system is failing. They would be willing to provide more briefing info to the Director.
-----	-------------	--	--	--	---



see if this works. Did you see Clayton suggested calling his cell?

1 message

Jane_Moore@nps.gov <Jane_Moore@nps.gov>
To: Jane_Anderson@nps.gov

Mon, Dec 12, 2011 at 2:53 PM

A few add ons,,looks good
(See attached file: Smokies request.docx)

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St, 10th Floor, Rm #36
Phone: (202) 513-7132
Fax (202) 371-2401

▼ Jane Anderson/WASO/NPS

Jane
Anderson/WASO/NPS

ToJane Moore/WASO/NPS@NPS

cc

12/12/2011 01:08 PM

Subjectsee if this works. Did you see Clayton suggested calling his cell?

[attachment "GRSM proposal to implement backcountry fee.docx" deleted by Jane Moore/WASO/NPS]

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

SO Recreation Fee Program website on InsideNPS: <http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

Great Smoky Mountains National Park proposal to implement backcountry fee

SER	Great Smoky	New \$4 Per Person Per Night fee for backcountry camping/shelter reservations.	Recover CLIN costs associated with joining Recreation.gov.	For further discussion. Has Superintendent discussed proposal with Jon? Deed restriction issue should be resolved. More outreach needs to be done with protesting groups. Explore options of a lower fee to cover costs.	Notified congressional delegation, state and local officials, park partners, and CUA holders via briefing paper distribution and phone calls. 1 of 7 county commissioners against backcountry fees in general and 1 of many stakeholders against reservation system. Briefing posted on local blog site; press release; 2 public meetings; radio and television interviews. 230 public comments and 2 petitions received. More are opposed to a new fee than in support of it, but of the 3 different proposals the \$4 per person fee was supported most. One petition is based on the opinion that the park should not charge for backcountry since they are deed restricted and cannot charge entrance fees. Park feels the benefits outweigh the negative public response. They would not implement until 2013 since Rec.gov still needs to develop the option. If they are approved now they will be able to move ahead with development of the system – either on their own or through Rec.gov. Revenue estimate \$300K and will fund 3 permit staff and 2 backcountry seasonal staff and software/contractor costs. 1 perm staff +VIPS currently assigned. Their system is failing. They would be willing to provide more briefing info to the Director. Current FLREA revenue: _____
-----	-------------	--	--	--	--

Clayton Jordan

main

From: Clayton_Jordan@nps.gov
Sent: Monday, December 19, 2011 1:53 PM
To: Kevin_Fitzgerald@nps.gov
Subject: Response to Pam

Kevin:

As further evidence that the government didn't shut down over the weekend, I recommend sending the following message out to Pam, but will wait upon your review...

Thanks,

Clay

Pam:

With Dale and Kevin not returning until the eve of the first work group planning meeting in January, I thought I would reply to your message, particularly about your issue about us adequately addressing ATC's concerns as outlined in Morgan's letter of November 3rd. Though I apologize if you were left with a different impression following our call, allow me to clarify that the January working group meeting is a forum for addressing most of Morgan's concerns outlined in the letter. Of the nine concern categories Morgan outlined, designing procedures, etc. that address the issues contained within 6 1/2 of them (#1,2,5,6,7,8, and half of #3) is core to the purpose of the working group. Two of the remaining 2 1/2 concerns (#4,9), address the purely philosophical issue of whether an individual should have to incur a fee to backpack in the park or along the AT. The civic engagement record is full of responses of folks weighing in on whether people (be it a thru-hiker, an environmentally conscientious user, a local resident, or an economically disadvantaged individual, to name a few special interests identified) should have to incur a fee, with many opinions on both sides of the issue (though, not surprisingly with the majority of folks preferring not to have to pay a fee). The ATC has already weighed in with their philosophy on that point so we can't see where any further discussion on that point by this group would lead to consensus or otherwise be productive. So then, that would only leave the half of item #3 (where ATC recommends a flat trip fee as opposed to a fee per night rate) that we did not intend to discuss. Of the three fee structure alternatives that were vetted out through the public scoping process, our recommendation to WASO aligned with that which was clearly most popular--a rate of \$4 per person per night. This also seemed most equitable.

So working closely with ATC to determine how to best accommodate the visitor experience of the thru-hiker within the backcountry fee framework has been and remains a high priority of ours. Attached please find a copy of the fee proposal that was submitted to WASO. I hope this message helps to clarify where we are at in the process and to reinforce the point that the ship has not left the docks on addressing the non-philosophical concerns voiced by ATC.

Thanks,

Clay

(See attached file: GRSM 2012 Fee Implementation Plan FINAL.doc)

Clay Jordan

Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region: SER

Park: Great Smoky Mountains

Superintendent: Dale Ditmanson

Designated Park Contact for Recreation Fees: Bob Wightman

Phone: 865-436-1261 **Fax:** 865-436-1244

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date:** NA

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee? NA

If yes please list your change from current _____ days to _____ days. Current length of stay _____

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION See sample below - *	# of Effectuated Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/N	DISCOUNTS ALLOWED?
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access
See attached schedule of expanded amenity fees fees						

List all **NEW** expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access
Backcountry campsites/shelters	Camping	101	\$4 per person per night	1/1/13	717	None

PUBLIC PARTICIPATION—REQUIRED ACTIVITIES

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public prior to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation and Notification Guidelines* for detailed explanation. If you have not engaged the public about the proposed fee change, then you **cannot** request the change until the following is completed. If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Group Engagement	Method Used	Date Occurred	Comments Received – Both Positive & Negative
Section I Congressional Delegation <i>Examples include National Delegation, State Delegation, and Local Delegation</i>			
See Attached Summary			
Section II Nearby Federal, State, and County Officials <i>Examples include Federal Agency Staff, State Park Officials, City Government, County Commissioner, and Town Mayor</i>			
See Attached Summary			
Section III Stakeholders: <i>Examples are Chamber of Commerce, Rotary Clubs, Concessioners, Friends Groups, Local Business, or Special Emphasis Groups.</i>			
See Attached Summary			
Section IV Commercial Tour Operators – One year in advance if the per person fee increase will impact their operation.			
No written comments were received, though no special effort was made to contact this group as they are not expected to be impacted from this proposal.			
Section V Public Involvement: <i>At a minimum, one or more of these activities must occur. These might include: public meetings/open house; soliciting opinions through local media or internet; surveys/comment cards; radio "community news" programs; charrettes – consensus building; workshops; interpretive walks; publication on park website; park newspaper</i>			
See Attached summary			

1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

The proposed fee was determined to recover the direct costs for providing a reservation system with both internet and phone-in reservation capability, increased public access to trip planning assistance and permit compliance monitoring.

A comparability study of other NPS sites was also performed. Rates at other large parks with similar backcountry characteristics are as follows:

- o ROMO, YELL: \$20.
- o GRTE: \$25.
- o YOSE: \$5+ \$5/person.
- o GLAC: \$30+ \$2.50-\$7/person (depending on age).
- o OLYM: \$5/group+ \$2 person/night.
- o GRCA: \$10+ \$5/person/night.

Based on comments received during the civic engagement process, \$4 per person per night is the fee rate and structure most preferred for GRSM. This rate and structure provides for cost recovery and is more equitable for all users than a flat fee. That is, customers who stay for shorter periods of time are not penalized by having to pay the same as those staying longer. Based on GRSM user statistics, this fee structure benefits the majority of backcountry users, as the average length of stay is two days.

Please advise us if this is a:

***** **NEW FEE AREA******* (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *****

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.**
- 2. Reasons for eliminating fee.**
- 3. Estimated loss of annual revenue due to elimination of fee.**

Revised 1/7/2011

Great Smoky Mountains National Park Expanded Amenity Fees

Family Campgrounds

Abrams Creek	\$14
Balsam Mt	\$14
Big Creek	\$14
Cades Cove	\$17 - \$20
Cataloochee	\$20
Cosby	\$14
Elkmont	\$17 - \$23
Look Rock	\$14
Smokemont	\$17 - \$20

Group Campsites

Big Creek	\$44
Cades Cov	\$35 - \$65
Cataloochee	\$35
Cosby	\$26
Deep Creek	\$35
Elkmont	\$26 - \$53
Smokemont	\$35

Horse Camps

Anthony Creek	\$20
Big Creek	\$25
Cataloochee	\$20
Round Bottom	\$20
Tow String	\$20

Picnic Areas

Big Creek	
Cades Cove	
Chimneys	
Collins Creek	\$20
Cosby	\$20
Deep Creek	\$20
Greenbrier	\$10
Heintooga	
Look Rock	
Metcalf Bottoms	\$20
Twin Creeks	\$35 - \$75

Appalachian Clubhouse \$400 - \$600

Summary of GRSM Civic Engagement Process and Outcome

Public Scoping Process

- During the weeks of July 25th and August 1st a detailed briefing of the fee proposal, including instructions for submitting comments, was widely distributed to all potentially interested park partners and other NGO's, CUA holders, local Congressional delegations, and state and local elected representatives and government officials. This briefing was also posted by a recipient onto a popular local public blog site.
- Phone calls were made to the delegations, CUA holders, partners and local officials.
- A press release on the proposal, including information on public meetings and instructions for submitting comments, was distributed during the week of July 25, 2011. This was followed up with a second press release the week of August 8th to remind the public of the scheduled public meetings.
- Numerous media interviews were granted with television, radio, internet, and print media during late July and August.
- Two scheduled public open houses were attended by the general public: August 16, 2011, Cherokee, North Carolina (attended by 35 citizens); August 18, 2011, Gatlinburg, Tennessee (attended by 45 citizens).
- Responded to an invitation to address membership at a partner NGO meeting on the proposal.
- Written public comments were received through August 26, 2011.
- Park staff monitored several public blog threads addressing the proposal.

Outcome of Public Scoping

Feedback of Congressional Delegation and Nearby Federal, State, & County Officials: No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of seven counties neighboring the park) who were opposed to any backcountry camping fees in principle.

Feedback of Stakeholder Organizations: No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed and, as such, no formal position was received from the NGO within the time constraints but Park and NGO staffs continue to engage to resolve specific areas of concern. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.

Feedback of General Public: Of the approximate 33,000 backcountry campers expected to benefit or be impacted by the proposal, a total of 230 written comments and two petitions were received from the general public. Of the responders, more expressed specific concerns than support for the proposal. However, a significant number of responses received either showed support for the proposal or offered substantive comments toward improving it. Based upon discussions at the open houses, reviews of the local blogs, and statements contained within the written comments, it appears that most respondents are likely to be relatively local, frequent overnight users, who are well familiar with the park's backcountry. A less represented stakeholder group appears to be the less-frequent backcountry users who travel from outside the area. These stakeholders, though substantial in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.

Two petitions were received expressing opposition to the proposal. However, it is unclear for one petition what information signers received about the proposal other than the possibility of a fee. A second petition, coordinated online, lists as its most important tenant the misperception that the Park cannot collect an expanded amenity fee for backcountry camping due to a belief that there exists a deed restriction that prohibits the park from charging an *entrance* fee. There is no such limitation nor is there any other legal impediment to implementing a new user fee.

Most substantive respondent comments tended to fall into one of several categories and the commonly expressed points are summarized as follows:

- **General principle of charging a fee for overnight backcountry users:** Though a number of respondents supported the concept that such a fee is appropriate to be collected and used as proposed, the majority of respondents were opposed to any new fee. Some of the opposition seems to be philosophically based; some based on the perception that visiting the park was intended to be "free" by its founders; some based on the objection that overnight backcountry users would have to pay a fee while many other park users would not; some based on the opinion that the Park should be able to absorb the increased costs with existing funding allocations; and some based on the perception that some users cannot afford the fee.

- **Fee rate and structure:** General concern was expressed about keeping any fees reasonable. The greatest support was shown was for a fee of \$4 per person, per night fee structure, one of many options forwarded to the public for consideration. This rate and structure was perceived as having the least financial impact to the average GRSM backcountry permit holder and seemed to many responders to be the most equitable (i.e. cost directly equates to extent of use). Many respondents, though, felt that stock users should pay more, while others were in support of a frequent user pass
- **Reservation system:** Some respondents thought an expanded reservation system was appropriate and that Recreation.gov or another online system would be a worthwhile improvement. Other respondents objected to the use of Recreation.gov due to their perception that it is cumbersome to use or that the revenues should be used to employ local call handlers familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
- **Thru hikers:** Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.
- **Desired outcome if the proposal is implemented:** Some respondents expressed distrust that funds would be used as proposed, while others were supportive of the fee as long as used as indicated. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though some expressed doubt that two rangers would make much of a difference.

Management Position: After evaluating all comments received, park management feels that the benefits from the services proposed outweigh the concerns expressed over imposing a new fee. It appears that most issues of concern that go beyond the philosophical issue of imposing any fee can be satisfactorily addressed in the design of a reservation system and its subsequent implementation. The Park has learned much by engaging the public in this process and that many real concerns and constructive recommendations came out of it. The Park plans to work closely with partners to ensure continued input into the evolution of the proposal if this Fee Plan is approved.



Clayton
Jordan/GRSM/NPS
12/19/2011 02:45 PM

To Pamela Underhill/APPA/NPS@NPS
cc
bcc Kevin Fitzgerald/GRSM/NPS@NPS; Dale
Ditmanson/GRSM/NPS@NPS; Melissa
Cobern/GRSM/NPS@NPS
Subject Backcountry Proposal

Pam:

With Dale and Kevin not returning until the eve of the first work group planning meeting in January, I thought I would reply to your message, particularly about your issue about us adequately addressing ATC's concerns as outlined in Morgan's letter of November 3rd. Though I apologize if you were left with a different impression following our call, allow me to clarify that the January working group meeting *is* a forum for addressing most of Morgan's concerns outlined in the letter. Of the nine concern categories Morgan outlined, designing procedures, etc. that address the issues contained within 6 1/2 of them (#1,2,5,6,7,8, and half of #3) is core to the purpose of the working group. Two of the remaining 2 1/2 concerns (#4,9), address the purely philosophical issue of whether an individual should have to incur a fee to backpack in the park or along the AT. The civic engagement record is full of responses of folks weighing in on whether people (be it a thru-hiker, an environmentally conscientious user, a local resident, or an economically disadvantaged individual, to name a few special interests identified) should have to incur a fee, with many opinions on both sides of the issue (though, not surprisingly with the majority of folks preferring not to have to pay a fee). The ATC has already weighed in with their philosophy on that point so we can't see where any further discussion on that point by this group would lead to consensus or otherwise be productive. So then, that would only leave the half of item #3 (where ATC recommends a flat trip fee as opposed to a fee per night rate) that we did not intend to discuss. Of the three fee structure alternatives that were vetted out through the public scoping process, our recommendation to WASO aligned with that which was clearly most popular--a rate of \$4 per person per night. This also seemed most equitable.

So working closely with ATC to determine how to best accommodate the visitor experience of the thru-hiker within the backcountry fee framework has been and remains a high priority of ours. Attached please find a copy of the fee proposal that was submitted to WASO. I hope this message helps to clarify where we are at in the process and to reinforce the point that the ship has not left the docks on addressing the non-philosophical concerns voiced by ATC.

Thanks,

Clay



GRSM 2012 Fee Implementation Plan FINAL.doc

Clay Jordan
Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region: SER

Park: Great Smoky Mountains

Superintendent: Dale Ditmanson

Designated Park Contact for Recreation Fees: Bob Wightman

Phone: 865-436-1261 **Fax:** 865-436-1244

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date:** NA

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee? NA

If yes please list your change from current _____ **days to** _____ **days. Current length of stay** _____

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION See sample below - *	# of Effected Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/ N	DISCOUNTS ALLOWED?
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access
See attached schedule of expanded amenity fees fees.						

List all NEW expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access
Backcountry campsites/shelters	Camping	101	\$4 per person per night	1/1/13	717	None

PUBLIC PARTICIPATION—REQUIRED ACTIVITIES

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public prior to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation and Notification Guidelines* for detailed explanation. If you have not engaged the public about the proposed fee change, then you **cannot** request the change until the following is completed. If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Group Engagement	Method Used	Date Occurred	Comments Received – Both Positive & Negative
Section I Congressional Delegation <i>Examples include National Delegation, State Delegation, and Local Delegation</i>			
See Attached Summary			
Section II Nearby Federal, State, and County Officials <i>Examples include Federal Agency Staff, State Park Officials, City Government, County Commissioner, and Town Mayor</i>			
See Attached Summary			
Section III Stakeholders: <i>Examples are Chamber of Commerce, Rotary Clubs, Concessioners, Friends Groups, Local Business, or Special Emphasis Groups.</i>			
See Attached Summary			
Section IV Commercial Tour Operators – One year in advance if the per person fee increase will impact their operation.			
No written comments were received, though no special effort was made to contact this group as they are not expected to be impacted from this proposal.			
Section V Public Involvement: <i>At a minimum, one or more of these activities must occur. These might include: public meetings/open house; soliciting opinions through local media or internet; surveys/comment cards; radio "community news" programs; charrettes – consensus building; workshops; interpretive walks; publication on park website; park newspaper</i>			
See Attached summary			

1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

The proposed fee was determined to recover the direct costs for providing a reservation system with both internet and phone-in reservation capability, increased public access to trip planning assistance and permit compliance monitoring.

A comparability study of other NPS sites was also performed. Rates at other large parks with similar backcountry characteristics are as follows:

- o ROMO, YELL: \$20.
- o GRTE: \$25.
- o YOSE: \$5+ \$5/person.
- o GLAC: \$30+ \$2.50-\$7/person (depending on age).
- o OLYM: \$5/group+ \$2 person/night.
- o GRCA: \$10+ \$5/person/night.

Based on comments received during the civic engagement process, \$4 per person per night is the fee rate and structure most preferred for GRSM. This rate and structure provides for cost recovery and is more equitable for all users than a flat fee. That is, customers who stay for shorter periods of time are not penalized by having to pay the same as those staying longer. Based on GRSM user statistics, this fee structure benefits the majority of backcountry users, as the average length of stay is two days.

Please advise us if this is a:

******* NEW FEE AREA******* (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *****

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.**
- 2. Reasons for eliminating fee.**
- 3. Estimated loss of annual revenue due to elimination of fee.**

Revised 1/7/2011

Great Smoky Mountains National Park Expanded Amenity Fees

Family Campgrounds

Abrams Creek	\$14
Balsam Mt	\$14
Big Creek	\$14
Cades Cove	\$17 - \$20
Cataloochee	\$20
Cosby	\$14
Elkmont	\$17 - \$23
Look Rock	\$14
Smokemont	\$17 - \$20

Group Campsites

Big Creek	\$44
Cades Cov	\$35 - \$65
Cataloochee	\$35
Cosby	\$26
Deep Creek	\$35
Elkmont	\$26 - \$53
Smokemont	\$35

Horse Camps

Anthony Creek	\$20
Big Creek	\$25
Cataloochee	\$20
Round Bottom	\$20
Tow String	\$20

Picnic Areas

Big Creek	
Cades Cove	
Chimneys	
Collins Creek	\$20
Cosby	\$20
Deep Creek	\$20
Greenbrier	\$10
Heintooga	
Look Rock	
Metcalf Bottoms	\$20
Twin Creeks	\$35 - \$75

Appalachian Clubhouse \$400 - \$600

Summary of GRSM Civic Engagement Process and Outcome

Public Scoping Process

- During the weeks of July 25th and August 1st a detailed briefing of the fee proposal, including instructions for submitting comments, was widely distributed to all potentially interested park partners and other NGO's, CUA holders, local Congressional delegations, and state and local elected representatives and government officials. This briefing was also posted by a recipient onto a popular local public blog site.
- Phone calls were made to the delegations, CUA holders, partners and local officials.
- A press release on the proposal, including information on public meetings and instructions for submitting comments, was distributed during the week of July 25, 2011. This was followed up with a second press release the week of August 8th to remind the public of the scheduled public meetings.
- Numerous media interviews were granted with television, radio, internet, and print media during late July and August.
- Two scheduled public open houses were attended by the general public: August 16, 2011, Cherokee, North Carolina (attended by 35 citizens); August 18, 2011, Gatlinburg, Tennessee (attended by 45 citizens).
- Responded to an invitation to address membership at a partner NGO meeting on the proposal.
- Written public comments were received through August 26, 2011.
- Park staff monitored several public blog threads addressing the proposal.

Outcome of Public Scoping

Feedback of Congressional Delegation and Nearby Federal, State, & County Officials: No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of seven counties neighboring the park) who were opposed to any backcountry camping fees in principle.

Feedback of Stakeholder Organizations: No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed and, as such, no formal position was received from the NGO within the time constraints but Park and NGO staffs continue to engage to resolve specific areas of concern. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.

Feedback of General Public: Of the approximate 33,000 backcountry campers expected to benefit or be impacted by the proposal, a total of 230 written comments and two petitions were received from the general public. Of the responders, more expressed specific concerns than support for the proposal. However, a significant number of responses received either showed support for the proposal or offered substantive comments toward improving it. Based upon discussions at the open houses, reviews of the local blogs, and statements contained within the written comments, it appears that most respondents are likely to be relatively local, frequent overnight users, who are well familiar with the park's backcountry. A less represented stakeholder group appears to be the less-frequent backcountry users who travel from outside the area. These stakeholders, though substantial in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.

Two petitions were received expressing opposition to the proposal. However, it is unclear for one petition what information signers received about the proposal other than the possibility of a fee. A second petition, coordinated online, lists as its most important tenant the misperception that the Park cannot collect an expanded amenity fee for backcountry camping due to a belief that there exists a deed restriction that prohibits the park from charging an *entrance* fee. There is no such limitation nor is there any other legal impediment to implementing a new user fee.

Most substantive respondent comments tended to fall into one of several categories and the commonly expressed points are summarized as follows:

- **General principle of charging a fee for overnight backcountry users:** Though a number of respondents supported the concept that such a fee is appropriate to be collected and used as proposed, the majority of respondents were opposed to any new fee. Some of the opposition seems to be philosophically based; some based on the perception that visiting the park was intended to be "free" by its founders; some based on the objection that overnight backcountry users would have to pay a fee while many other park users would not; some based on the opinion that the Park should be able to absorb the increased costs with existing funding allocations; and some based on the perception that some users cannot afford the fee.

- **Fee rate and structure:** General concern was expressed about keeping any fees reasonable. The greatest support was shown was for a fee of \$4 per person, per night fee structure, one of many options forwarded to the public for consideration. This rate and structure was perceived as having the least financial impact to the average GRSM backcountry permit holder and seemed to many responders to be the most equitable (i.e. cost directly equates to extent of use). Many respondents, though, felt that stock users should pay more, while others were in support of a frequent user pass
- **Reservation system:** Some respondents thought an expanded reservation system was appropriate and that Recreation.gov or another online system would be a worthwhile improvement. Other respondents objected to the use of Recreation.gov due to their perception that it is cumbersome to use or that the revenues should be used to employ local call handlers familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
- **Thru hikers:** Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.
- **Desired outcome if the proposal is implemented:** Some respondents expressed distrust that funds would be used as proposed, while others were supportive of the fee as long as used as indicated. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though some expressed doubt that two rangers would make much of a difference.

Management Position: After evaluating all comments received, park management feels that the benefits from the services proposed outweigh the concerns expressed over imposing a new fee. It appears that most issues of concern that go beyond the philosophical issue of imposing any fee can be satisfactorily addressed in the design of a reservation system and its subsequent implementation. The Park has learned much by engaging the public in this process and that many real concerns and constructive recommendations came out of it. The Park plans to work closely with partners to ensure continued input into the evolution of the proposal if this Fee Plan is approved.



Peggy O'Dell/WASO/NPS

12/23/2011 02:47 PM

To Jane Anderson/WASO/NPS

cc Chris Williamson/DENVER/NPS@NPS, Jane
Moore/WASO/NPS@NPS, Maureen
Foster/WASO/NPS@NPS

bcc

Subject Re: Fee Rate change requests

Lassen sounds OK with this further explanation so they may proceed.

Peggy O'Dell
Deputy Director, Operations

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA
Jane Anderson/WASO/NPS



Jane Anderson/WASO/NPS

12/23/2011 01:18 PM

To Peggy O'Dell/WASO/NPS@NPS

cc Maureen Foster/WASO/NPS@NPS, Jane
Moore/WASO/NPS@NPS, Chris
Williamson/DENVER/NPS@NPS

Subject Re: Fee Rate change requests

Hi Peggy

I contacted each Region by phone and email to let them know the outcome. I did talk to Rich Devenney Fee Mgr for SER about GRSM. He will work with the park to further explore the issue about GRSM being deed restricted. I could only leave messages for the other regions about GOGA talking with you directly and GATE holding off for now until you further discuss with the Supt. and RD and comptroller

Further clarification for the increase at Lassen

They did a very thorough job in their civic engagement and analysis of the fee rate. They reached out to many stakeholders including the 2011 season stock corral users through PEPC but got only one response. Their comparability study when compared to a private Equestrian Park, a nearby National Forest rate and Humboldt State Park rate puts them cheaper than the others. There will be some minor increases for some users and decreases for others. By going to a flat rate they also incorporated the contract costs to recreation.gov which is an added service for the visitor to secure a reservation ahead of time.

From their implementation plan:

Lassen has new and improved corrals and provides a secure and safe area for visitors' stock which has replaced the old wooden posts and ropes system used in years past. Currently the park manages the horse corrals through an in-house reservation process, charging a corral visitor use fee of \$16 per night at Butte and Summit Lake and \$10 at Juniper Lake. A per horse fee of \$4 for up to eight horses is also charged for each reservation made. The maximum rate for Butte Lake would be \$48 if the group has 8 horses and \$42 at Juniper Lake for 8 horses. This has caused some unnecessary burden on the visitor when plans

change and the number of horses vary from the original reservation.

This Fee Change proposal enables the visitor to be charged a flat rate use fee of \$35 at Butte and Summit Lake and \$28 at Juniper Lake and provide a central location at Recreation.gov to make a reservation. In some cases fees would be decreased and in some cases be increased dependent upon the number of horses brought into the park. Averages show that horse corral users bring four horses per night for a total cost of \$32 for Butte and Summit and \$26 for Juniper which does not have water. The proposal is that a flat rate of \$35 is charged for Butte and Summit Lake and \$28 for Juniper Lake, which includes the contractor cost of \$9.98 for call center reservation and \$6.35 for an internet reservation. Based on NPS reservation statistics with Recreation.gov 80% of reservations are made on the internet, making the average cost for a reservation \$6.81. Based on the average length of stay of 2.67 nights, a \$2 to \$3 increase should cover contractor costs.

Please let me know if you have any other concerns or if you want me to ask them to revisit their rates. Thanks

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

WASO Recreation Fee Program website on InsideNPS:
<http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

Peggy O'Dell---12/23/2011 10:02:39 AM---Jane, Here you go. Best to you and the family for Christmas and



Peggy O'Dell/WASO/NPS
12/23/2011 12:02 PM EST

To Jane Anderson/WASO/NPS@NPS
cc maureen_foster@nps.gov
Subject Re: Fee Rate change requests

Jane,

Here you go. Best to you and the family for Christmas and the new year!

Katmai--yes
Denali--yes
Big Horn Canyon--yes
Harpers Ferry--yes--with consultation with transportation program

Prince William--yes
Rock Creek--yes--with phase in or other tactics to reduce controversy
Assateague--yes
Gateway--not yet In discussion with region and park and comptroller
Golden Gate--a cautious yes--concern about creating more controversy RD or park Supt should talk to me
Lassen--seems like a very big jump--can I get more info on why it is such a big increase?
Santa Monica--yes
Death Valley--thanks for the notice
Point Reyes--yes
Castillo--yes
Great Smoky--not yet, Do we have a solicitor opinion?

Peggy O'Dell
Deputy Director, Operations

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA
Jane Anderson/WASO/NPS



Jane Anderson/WASO/NPS

12/19/2011 05:53 PM

To Peggy O'Dell/WASO/NPS@NPS

cc

Subject Fee Rate change requests

Hi Peggy

I'm sure you are really busy with a lot on your mind...and many folks will be out for the holidays soon ...you may be already!!

Jane and I were wondering if you had a chance to meet with Jon about the proposed fee rate changes that we met with you about on the 13th? There are several parks waiting to hear if they will have a green light for January 1.

Thanks a lot. Let me know if you can.

Happy Holidays

Jane

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)

Fees - Jon



Jane Anderson/WASO/NPS

12/09/2011 02:45 PM

To Claire Rozdilski/WASO/NPS@NPS

cc Robert Gordon/WASO/NPS@NPS, Jane Moore/WASO/NPS@NPS

bcc

Subject Briefing materials for meeting with Peggy Dec. 13

Hi Claire Would you please print this email and attachment for Peggy? Thanks

Dear Peggy

Attached you will find the final fee rate changes requests for 2012. In summary 6 regions are requesting changes/additions/increases at 14 parks. We look forward to discussing this with you on December 13 at 4 pm in your office. Jane Moore and Rob Gordon will be there in person. I will be on the phone. Also there are a few more items we'd like to discuss with you:

1. Suggested fee rate approval process for 2013
2. STLI add on fee and use of 1a2g authority
3. Deployed Military Discount Pass - March - Tentative for 2012 -
4. Partner Outdoors Meeting Jan 8-11 - will be answering
5. Rick Delappe Detail

Asked for:
longer term strategy



2012 Fee Rate Change Request Briefing for Approvals-FINAL.docx

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

09

WASO Recreation Fee Program website on InsideNPS:
<http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

2011/12/19
A
CASA

Regional Requests to Proceed with Implementation of FLREA fees for 2012-FINAL

Region	Park	Proposed FLREA Fee Changes	Compelling Reason	WASO Recommendation	Civic Engagement Results
AKR	Katmai	Increase campground fee from \$8 to \$12 per site per night. (original request was \$15).	The increase covers the contract CLIN costs for Recreation.gov which currently is not covered by the \$8 rate due to many single night reservations. Increased fee will also help fund campground improvements.	Concur <i>yes</i>	Some negative response from some visitors and one commercial operator. <u>Fee originally requested has been lowered due to negative public response.</u> Park requests approval now but will not implement until 2013 to give <u>commercial operators</u> a year notice. Most operators were supportive of the increase but requested additional lead time to notify clients.
	Denali	Clarify entrance fee as \$10 per person not \$20 per family or vehicle.	Fee structure change will eliminate confusion and insure consistency when concessioner collects fee. This action was recommended in the 2009 WASO/ARO DENA program review.	Concur <i>yes</i>	Park sent 262 emails including congressional delegation; federal, state and county officials; media; commercial tour operators; local businesses; and stakeholders – no response or positive response. Newspaper articles- mostly favorable comments, a few unfavorable. Park website and sign at VC-no response. 38 PEPC comments – 11 favorable; 22 unfavorable; 5 neutral or unclear.
WVR	Big Horn Canyon <i>MD</i> <i>Authenticity</i>	Eliminate use of 3 additional vehicle decals for price of one \$30 park specific annual pass.	This change would ensure proper compliance with service wide policy for annual park passes.	Concur <i>yes</i>	Sent 69 emails including congressional delegation; federal, state and county officials; media; commercial tour operators; local businesses; and stakeholders – no response. News release-no response. Board Meeting and 2 public meetings-no response.

Regional Requests to Proceed with Implementation of FLREA fees for 2012-FINAL

13 moving Park 2 to the right of way to create bridge	Harpers Ferry Level 2	Increase entrance fees to include a transportation fee. Increase per person rate from \$4 to \$5; per motorcycle and per vehicle from \$6 to \$10; park specific annual pass from \$25 to \$30.	Financial analysis shows need to establish transportation fee in order to maintain operation of current shuttle which is now funded with base and 80% funds. If increases are approved \$1 from per person; \$4 from per motorcycle/vehicle; and \$5 from per park specific annual pass would go directly to transportation account. This increase would restore some 80% funds for other needs.	Concur based on consultation with Transportation Mgt. Program <i>yes</i>	Notified congressional delegation and stakeholders via letter- no response. 3 town council meetings - no response. Historical Association understands the need to raise the fees. Press release - no response. Radio interview. Park website - 4 negative responses from locals that <u>could raise controversy.</u>
	Prince William	Increase fees at Oak Ridge campground from \$15 to \$20.	The increase will enable the campground to join Recreation.gov. It will allow for on-line, advanced reservations and will reduce staff management time/costs at the site. The increase will cover contract CLIN costs. Comparability shows current campground fees <u>undercut state and local facilities.</u>	Concur <i>yes</i>	Emails to congressional Delegation and stakeholders - Congressman Connelly's office expressed concern which park addressed. Support from nearby Forest Service area. 5 public meetings - no response. Announced on park website and in newsletter - 1 neutral response. Posted on park's Facebook page - 5 comments in favorable, 2 comments unfavorable.
	Rock Creek	Increase parking meter rates at Thompson's boathouse from \$0.75 to \$2 per hour.	Based on comparability studies the current fees are undercutting local rates implemented by DC Government two years ago. The current rate inequity and recurring use by locals has displaced park visitors from using the lot.	Concur but park would be willing to phase in increase to reduce controversy. <i>yes</i>	Notified via letter to congressional delegation and stakeholders - One Congressman asked about the ability to pay by credit card. Notices posted for Boat House and Parking Lot users - no response. Notice delivered to concessioner - no response. Press release - no response. Park website - no response. PEPC - 4 negative comments from parents of High School users.

Regional Requests to Proceed with Implementation of FLREA fees for 2012-FINAL

NER	Assateague	Increase rates for camping from \$15 to \$20 (off-season) and from \$20 to \$25 (peak-season); horse camps from \$25 to \$30; group camping from \$30 to \$40; and backcountry permits from \$5 to \$6.	Based on comparability studies the current fees are undercutting local and state rates and there is a need to recover higher operational costs associated with backcountry use.	Concur <i>Yes</i>	Notified congressional delegation and stakeholders via letters—no response. News release—one response against the increase. Public meeting—no response. Park website and PEPC—no response.
	Gateway	Increase daily parking fees. At Sandy Hook from \$10 to \$15 (originally requested \$20); \$25 to \$30 (oversized)(originally requested \$50); \$50 to \$75 for annual pass(originally requested \$100); and offer a new oversized vehicle annual pass for \$150. At Jamaica Bay from \$5 to \$10; \$25 to \$20 (oversized) (originally requested \$50); \$40 to \$65 (annual pass); and offer a new oversized vehicle annual pass for \$130.	Based on comparability studies the current fees are undercutting local and state rates. Parking areas are maintained with fee revenue. Interagency Senior/Access passes are accepted for a 50% discount. <i>more discussion</i>	For discussion. Could be controversial but RD and Superintendent maintain communication with stakeholders and delegation. We were informed that there may have been a recent conversation between Dennis and Jon on this request and that Jon was supportive?	Congressional delegation; federal, state and county officials; local businesses; and stakeholders notified via letter — 1 congressman and 1 local business owner opposed. Congressman Pallone (NJ) requested public meeting which he attended. Park website; Facebook and Twitter; Public Meeting; and Visitor Surveys- Total responses - 197 opposed; 115 in favor; 9 neutral or undecided. Fees originally requested have been lowered due to negative public response.

Regional Requests to Proceed with Implementation of FLREA fees for 2012-FINAL

PWR	Golden Gate	Charge \$1 per hour parking fee at Crissy Field.	To facilitate use by visitors instead of commuters.	Concur; however, commercial dog-walkers could be vocal. <i>Cautious</i> <i>WRe</i>	Notified via letter and follow-up phone call to congressional delegation; federal, state and county officials, local businesses and stakeholders-no concerns, no support provided. Meeting-supportive with exception of one group - commercial dog walkers. PEPC-neutral or positive comments. Open House-mostly supportive. Media coverage-no response.
	Lassen	Restructure horse camp fees from \$10 plus \$4 per horse to \$28 per site per night; and from \$16 plus \$4 per horse to \$35 per site per night; and add sites to recreation.gov	Current per horse fee structure does not align with NPS per site structure for camping and is difficult to manage. Includes increase to cover Recreation.gov CLIN costs. <i>seems high</i>	Concur <i>really</i>	Sent 108 letters to congressional delegation; federal, state and county officials; media; local businesses; and stakeholders - no response. Park website-no response. Press release-no response. PEPC-one comment in support of flat rate.
	Santa Monica Mountains	Restructure group camping fee from \$2 per person per night to a flat rate fee of \$35 (10-30 people); \$75 (31-50 people); and \$125 (51-75 people); and add site to Recreation.gov	Current per person rate for a group campsite does not align with NPS per site structure for camping and is hard to manage. The change in group size may result in small increase for some groups, but a decrease for most groups.	Concur <i>Yes</i>	Sent 109 emails to congressional delegation; federal, state and county officials; media; commercial tour operators; local businesses; and stakeholders - no response or positive response. Press release-no response. Park website-one positive comment.
	Death Valley	Increase Scotty's Castle Tour Fees (1a2g Fee). The list of all fees is available.	Increase based on comparability studies and to cover Recreation.gov CLIN costs. Also aligned to honor 50% discount for Access/Senior Passes.	PWR submitted to keep us informed. WASO fees does not approve or disapprove	Notified via letter congressional delegation; federal, state and county officials-no response. Notified via 246 emails, 40 faxes, and 178 letters local businesses, stakeholders, and commercial tour operators-7 comments in favor-1 comment against. Press

Regional Requests to Proceed with Implementation of FLREA fees for 2012-FINAL

					1a2g	release-no response. PEPC-4 comments in favor of increase-3 comments against senior price reduction.
	Point Reyes	Increase backcountry camping fee from \$15 to \$20 and group camping fees from \$30 to \$40 and \$40 to \$50 to join the NRRS.	Increase based on comparability studies and to cover Recreation.gov CLIN costs.	Concur <i>Yes</i>		Notified congressional delegation by email-no specific comments. Notified State and County officials by phone-no specific comments. Chamber of Commerce Meeting-no response. Commercial Tour Operators Meeting-no response. 4015 Visitor Survey letters-81% in favor of increase. 27% opposed to joining NRRS. Park website-no response.
SER	Castillo	Increase entrance fee from \$6 to \$7 per person.	Recover lost FLREA revenue resulting from increased transportation fee (\$1 to \$2) approved in 2011. <u>This rate change will align the per person rate with the service wide pricing model.</u>	Concur <i>Yes</i>		Notified congressional delegation; federal, state and county officials; commercial tour operators; local businesses; and stakeholders – by email -overwhelming support. Park website-5 comments-3 in favor, 2 opposed.

Great Smoky Mountains National Park proposal to implement backcountry fee

SER	Great Smoky	New \$4 Per Person Per Night fee for backcountry camping/shelter reservations.	Recover CLIN costs associated with joining Recreation.gov.	For further discussion. Has Superintendent discussed proposal with Jon? Deed restriction issue should be resolved. More outreach needs to be done with protesting groups. Explore options of a lower fee to cover costs.	Notified congressional delegation, state and local officials, park partners, and CUA holders via briefing paper distribution and phone calls. 1 of 7 county commissioners against backcountry fees in general and 1 of many stakeholders against reservation system. Briefing posted on local blog site; press release; 2 public meetings; radio and television interviews. 230 public comments and 2 petitions received. More are opposed to a new fee than in support of it, but of the 3 different proposals the \$4 per person fee was supported most. One petition is based on the opinion that the park should not charge for backcountry since they are deed restricted and cannot charge entrance fees. Park feels the benefits outweigh the negative public response. They would not implement until 2013 since Rec.gov still needs to develop the option. If they are approved now they will be able to move ahead with development of the system – either on their own or through Rec.gov. Revenue estimate \$300K and will fund 3 permit staff and 2 backcountry seasonal staff and software/contractor costs. 1 perm staff +VIPS currently assigned. Their system is failing. They would be willing to provide more briefing info to the Director.
-----	-------------	--	--	--	---

*More discussion
How have
you
opinion?*

Clayton Jordan

From: Melissa_Cobern@nps.gov
Sent: Tuesday, January 03, 2012 2:58 PM
To: Clayton_Jordan@nps.gov
Subject: Backcountry Camper Nights

The attached document shows annual backcountry camper nights from 1975 - 2010. We are missing data from 1989 - 1993. Data entry has not yet been completed for 2011.

Although there is nothing in the files to confirm this, I believe the data is from the count of actual permits issued.

Up until 2000, horse camp nights were included in the camper nights totals.

7,800 is probably a good average of horse nights to subtract from the annual totals through 1999 to better reflect camper nights in the BC.

(See attached file: Great Smoky Mountains National Park Annual Backcountry Camper Nights.docx)

Melissa K. Cobern
Great Smoky Mountains National Park
Backcountry Management Specialist
865-436-1264

**Great Smoky Mountains National Park
Annual Backcountry Camper Nights**

1975 = 105,200
1976 = 115,300
1977 = 101,800
1978 = 100,900
1979 = 81,000
1980 = 81,500
1981 = 79,200
1982 = 73,700
1983 = 68,700
1984 = 64,400
1985 = 65,400
1986 = 68,400
1987 = 76,400
1988 = 72,200

Missing Data for 1989 - 1993

1994 = 87,120
1995 = 101,872
1996 = 102,002
1997 = 106,244
1998 = 101,486
1999 = 92,994
2000 = 80,654
2001 = 76,919
2002 = 77,816
2003 = 73,124
2004 = 73,786
2005 = 67,442
2006 = 67,550
2007 = 68,820
2008 = 74,867
2009 = 73,018
2010 = 72,214

1975 – 1999 includes horse camp nights



Jane Anderson/WASO/NPS
01/03/2012 01:09 PM

To: Richard Devenney/Atlanta/NPS@NPS
cc: John S Wood/Atlanta/NPS@NPS
bcc:
Subject: Re: GRSM

Sorry you are under the weather !! Thanks for the quick response. I think I'll move forward for CASA and we can deal with GRSM later.
Thanks

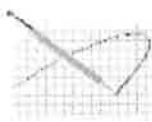
Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

WASO Recreation Fee Program website on InsideNPS:
<http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

Richard Devenney Good morning Jane and a return Happy New Y... 01/03/2012 10:42:38 AM



Richard
Devenney/Atlanta/NPS
01/03/2012 12:42 PM EST

To: Jane Anderson/WASO/NPS@NPS
cc: John S Wood/Atlanta/NPS@NPS
Subject: Re: GRSM

Good morning Jane and a return Happy New Year!

I was able to get CASA the good news and also told GRSM what they needed to move forward. At this point, I would say that GRSM is at least 2 weeks from a Solicitor's opinion on the fee collection question. They were preparing the question for the SOL's office the day I gave them the information, but needed to wait until the supt could review prior to submission. I will check with Clay and Kevin and let you know if they have a better feel for the response time. I am out sick today, but should have something for you by later today as I have already talked with Clay on another topic. I'll send you an update either way this afternoon.

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region

Richard_Devenney@nps.gov

-----Jane Anderson/WASO/NPS wrote: -----

To: Richard Devenney/Atlanta/NPS@NPS
From: Jane Anderson/WASO/NPS
Date: 01/03/2012 12:22PM
Subject: GRSM

Hey Rich

Happy New Year. Please let me know as soon as you can about what GRSM is going to do. I'm holding off on the approval letter for now. If it is going to take a long time for them to decide please let me know and I will go ahead and do the letter for CASA. Hopefully you were able to get ahold of them to let them know they were good to go Jan. 1

Thanks

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

WASO Recreation Fee Program website on InsideNPS:
<http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix



Re: Fee approvals

1 message

Jane_Anderson@nps.gov <Jane_Anderson@nps.gov>

Wed, Jan 4, 2012 at 1:57 PM

To: Peggy_O'Dell@nps.gov

Bcc: Jane_Moore@nps.gov

Great Peggy. Thanks

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

WASO Recreation Fee Program website on InsideNPS: <http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

Peggy O'Dell—01/04/2012 11:37:48 AM—I spoke to Frank Dean today and I am ready to approve his moving forward with their parking fee. Haven't gotten to GATE yet. Wo

Peggy
O'Dell/WASO/NPS

ToJane Anderson/WASO/NPS@NPS

01/04/2012 01:37 PM
EST

cc

SubjectRe: Fee approvals

I spoke to Frank Dean today and I am ready to approve his moving forward with their parking fee. Haven't gotten to GATE yet. Working on it.

Sent from my BlackBerry Wireless Handheld

Jane Anderson

Original Message

From: Jane Anderson
Sent: 01/04/2012 01:26 PM EST
To: Peggy O'Dell
Cc: Claire Rozdilski
Subject: Fw: Fee approvals

Hi Peggy

I contacted all the regions that had "hanging" issues so that we can get the approval letters out. Below you will find the response from the Solicitor about GRSIM and whether or not "need restricted" would keep them from charging a reservation fee.

fee. The short version is that there is nothing prohibiting GRSM from charging a "use" fee or in this case a reservation fee for use of their backcountry shelters. You will probably get a call from Dale D. directly or one of the Deputies in the SER office to answer any other questions or concerns you may have.

Basically the park would like to obtain approval now so they can move ahead with Recreation.gov - there will need to be some more programming work done in the system before they can be added to Recreation.gov. If the contractor for Recreation.gov (Reserve America) cannot provide the service in time for the 2013 field season GRSM is considering developing their own system. Therefore they would like to know if they will be approved for the fee which would be implemented in 2013 so they can get the system on line by then.

Please let me know when you can what the decision is. Thanks

PS That only leaves GATE (parking) and GOGA (parking) to contact you.

Jane Anderson
Deputy Fee Manager
Recreation Fee Program
WASO
(303) 987-6902 (office)
(202) 281-8286 (Blackberry)
(303) 987-6995 (fax)
jane_anderson@nps.gov
12795 W. Alameda Parkway
Lakewood, Colorado 80228

WASO Recreation Fee Program website on InsideNPS: <http://www.inside.nps.gov/waso/waso.cfm?prg=87&lv=2>

"When the Power of Love overcomes the Love of Power, the world will know Peace"

Jimi Hendrix

— Forwarded by Jane Anderson/WASO/NPS on 01/04/2012 11:14 AM —

**Richard
Devenney/Atlanta/NPS**

01/03/2012 05:04 PM
EST

To: Jane Anderson/WASO/NPS@NPS

cc: John S Wood/Atlanta/NPS@NPS

Subject: Fw: Re: Fee approvals

Jane-attached is a response from GRSM, including an opinion from the SOL regarding fees being charged in the GRSM.

I hope this helps-

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov

—Forwarded by Richard Devenney/Atlanta/NPS on 01/03/2012 05:02PM —

To: Richard Devenney/Atlanta/NPS@NPS

From: Dale Ditmanson/GRSM/NPS

Date: 01/03/2012 04:24PM

cc: Clayton Jordan/GRSM/NPS@NPS, Kevin Fitzgerald/GRSM/NPS@NPS, John S Wood/Atlanta/NPS@NPS

Subject: Re: Fw: Fee approvals

Case 3:13-cv-00116-TWP-HBG Document 39-2 Filed 05/07/14 Page 96 of 188 Page 20 #:

Richard, the issue of a deed restriction (regarding fees) comes up often as it relates to the Smokies, however, it is not what most people have been led to believe. There is no deed restriction tied to the original acquisition of lands by either the states of TN or NC. There is no fee restriction based on the donation of funds from the Laura Spellman Rockefeller Foundation. The only restriction is included in an act passed by the TN General Assembly in 1951 authorizing the transfer of Tennessee's interest in state highways within the borders of Great Smoky Mountains NP to the Federal Government. The exact language is as follows:

"No toll or license fee shall ever be imposed by the United States of America or any agency thereof for the use by the public of State Highways Nos. 71 and 73, and the right is especially reserved unto the State of Tennessee to allow the public to use said highways."

The language above is clear, we cannot charge a fee on the highways. There is no restriction on user fees and in fact fees are currently imposed for front-country camping, picnic pavilions, special park uses, filming, commercial services, etc, etc. I have attached an opinion from the TN Attorney General in 1996 responding to specific questions regarding the language above. This opinion has sufficiently addressed our concerns regarding the legality of this issue and should address the current questions. While the opinion responds to several broader issues, it clearly states that while entrance fees are prohibited, the State Deed does not prohibit fees for other uses of park facilities.

Dale

Dale A. Ditmanson
Superintendent
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738
865-436-1201
865-436-1204 (fax)
Kevin Fitzgerald/GRSM/NPS

**Kevin
Fitzgerald/GRSM/NPS**

01/03/2012 03:36 PM

To
Richard Devenney/Atlanta/NPS@NPS
cc
Clayton Jordan/GRSM/NPS@NPS,
John S Wood/Atlanta/NPS@NPS,
Dale Ditmanson/GRSM/NPS@NPS

Subject
Re: Fw: Fee approvals

Rich,
We have an opinion that is being scanned and readied to ship out to you and the WASO fee folks.

Hope you feel better,

Kevin

Kevin FitzGerald
Deputy Superintendent
Great Smoky Mountains National Park
865-436-1202 Office
865-712-3040 Cell
865-436-1204 Fax

Richard Devenney/Atlanta/NPS

Devenney/Atlanta/NPS

Clayton Jordan/GRSM/NPS@NPS,
Kevin Fitzgerald/GRSM/NPS@NPS

01/03/2012 01:31 PM

cc

John S Wood/Atlanta/NPS@NPS

Subject

Fw: Fee approvals

Clay/Kevin-

WASO has asked me to follow up with GRSM on how you are progressing on getting an opinion from the Solicitor for the question of the legality of the park collecting the backcountry fees when you are deed restricted.

Please provide an update on getting this opinion so I can update WASO. I am out sick today but told WASO I would follow up with you. If you have questions, please e-mail me or contact me on my cell.

Thanks much-

Rich Devenney

Regional Fee and Special Park Use Program Manager

National Park Service

Southeast Regional Office

(404) 507-5640-voice-Fee Program

(404) 227-3927-cell/blackberry

(404) 562-3200-fax-Region_

Richard_Devenney@nps.gov

—Forwarded by Richard Devenney/Atlanta/NPS on 01/03/2012 01:27PM —

To: Gordon Wilson/CASA/NPS@NPS, Lindsey Phillips/CASA/NPS@NPS, Kevin Fitzgerald/GRSM/NPS@NPS, Clayton Jordan/GRSM/NPS@NPS

From: Richard Devenney/Atlanta/NPS

Date: 12/23/2011 08:20PM

Subject: Fee approvals

Gordie/Lindsey-

WASO has approved the fee increase request for CASA for implementation in January 2012. (Don't say I never gave you all anything)

Kevin/Clay-

WASO has requested a Solicitor's opinion on the public comments as to whether or not GRSM can legally charge and collect fee for backcountry permits based on the fact that GRSM is deed restricted. Based on this request for additional information, WASO has put your request on a temporary hold. Their opinion seems to be that the request will be approved, but without the solicitor's opinion, the Director will not approve the request. Once you can get the opinion, they will re-submit the request to John for final approval.

Everyone have a great holiday!

Rich Devenney

Regional Fee and Special Park Use Program Manager

National Park Service

Southeast Regional Office

(404) 507-5640-voice-Fee Program

(404) 227-3927-cell/blackberry

(404) 562-3200-fax-Region

Richard_Devenney@nps.gov

[attachment "TN Fee Opinion.pdf" deleted by Peggy O'Dell/WASO/NPS]

Case 3:13-cv-00116-TWP-HBG Document 39-2 Filed 05/07/14 Page 98 of 188 PageID #: 591

STATE OF TENNESSEE

Office of the Attorney General



CHARLES W. BURSON
ATTORNEY GENERAL AND REPORTER

PATRICIA J. COTTRELL
CHIEF DEPUTY ATTORNEY GENERAL

MICHAEL E. MOORE
SOLICITOR GENERAL

460 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0485

TELEPHONE (615) 741-3491
FACSIMILE (615) 741-2009

Reply To:
TAX DIVISION
Suite 2121
404 James Robertson Parkway
Nashville, Tennessee 37243-0489
Fax: (615) 741-3334

July 25, 1996

The Honorable Bud Gilbert
State Senator
War Memorial Building, Suite 306
Nashville, Tennessee 37243-0207

Dear Senator Gilbert:

Pursuant to your request, attached is Opinion No. 96-091.
If you have any further questions or comments, please contact this Office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles W. Burson", is written over a faint, larger version of the same signature.

CHARLES W. BURSON
Attorney General and Reporter

CWB:GNM

Saved from Sen Gilbert's office

STATE OF TENNESSEE
OFFICE OF THE
ATTORNEY GENERAL
500 CHARLOTTE AVENUE
NASHVILLE, TENNESSEE 37243-0497

July 25, 1996

Opinion No. 96-091

User Fees for Visitors to the Great Smoky Mountains National Park

QUESTIONS

1. Do the deeds of transference granted by the State of Tennessee to the United States for the Great Smoky Mountains National Park (the "Park") prohibit either the state or the federal government from imposing a user fee on visitors to the Park?
2. Do the deeds prohibit the imposition of a toll for travel on the state highways leading into the Park?
3. Could the National Park Service collect a user fee for entry into the Park at collection points on state highways entering into the Park, which applied only to individuals who were traveling into the Park to utilize its facilities, but not those traveling through the Park to a distant destination?
4. Would the National Park Service be restricted from establishing collection booths on the highways transferred by the Deed, for the purpose of soliciting voluntary donations for the Park's benefit?

OPINIONS

1-2. It is the opinion of this Office that the Deed transferring the state highways in the Great Smoky Mountains National Park to the United States (the "Deed") does not have a blanket prohibition on the imposition of user fees on visitors to the Park, but it does prohibit the imposition of any toll or fee for the use of State Highways 71 and 73, which are the main roads into the Park. However, the United States has passed a statute that prohibits the imposition of fees "for entrance on other routes into said park or any part thereof" unless fees are also charged for entrance into the Park on main highways. Therefore, it is the opinion of this Office that this federal statute prohibits other entrance fees from being charged in the Park, but neither it nor the State's Deed prohibits fees for other use of Park facilities.

3. It is the opinion of this Office that since the Deed does not have any limiting language

on its restriction of the imposition of tolls or fees, user fees cannot be collected from anyone using the state highways leading into the Park regardless of the destination of the users.

4. It is the opinion of this Office that the National Park Service is not restricted by the Deed or by Tennessee law from establishing collection booths on the portions of State Highways 71 and 73 transferred by the Deed, for the purpose of soliciting voluntary donations for the Park's benefit, as long as such booths do not impede the flow of traffic over such highways.

ANALYSIS

I.

In 1951 the General Assembly passed an act authorizing the transfer of Tennessee's interest in state highways within the borders of the Great Smoky Mountains National Park to the federal government (the "Act").¹ However, the act provided that the deed was to contain a reservation that "no toll or license fee shall ever be imposed by the United States or any agency thereof for the use by the public of State Highways 71 and 73." The Deed carried out the intent of the Act and, among other things, contained the "no toll or license fee" reservation.² The first question presented is whether the Deed prohibits the imposition of a user fee on visitors to the Park.

The exact language of the Deed is:

No toll or license fee shall ever be imposed by the United States of America or any agency thereof for the use by the public of State Highways Nos. 71 and 73, and the right is especially reserved unto the State of Tennessee to allow the public to use said highways.

Based upon this language, the Deed does not completely prohibit the charging of user fees in the Park. It does, however, prohibit the charging of fees for the use of State Highways 71 and 73,³

¹ 1951 Tenn. Pub. Acts Chapter 57. Related acts include 1933 Tenn. Pub. Acts Chapter 161, 1929 Tenn. Pub. Acts Chapter 99 and 1927 Tenn. Pub. Acts Chapter 54.

² The deed was executed on June 1, 1951 by Charles F. Wayland, Jr., the Commissioner of Highways & Public Works of the State of Tennessee.

³ In parts of the area, State Highways 71 and 73 are also known as U.S. 441 and 321 respectively. This opinion will refer to the parts of the highways at issue by their state numerical designation.

which are the main entrances into the Park. This prohibition has no limiting language and applies equally to individuals traveling on these roads for the purpose of entering the Park and to individuals simply using the highways to reach another destination outside of the Park.⁴

Although the Deed does not prohibit fees in the Park—other than on the state highways—the United States has a statute that does prohibit certain entrance fees. 16 U.S.C.A. Section 4601/-6a(a)(3) (1992). That section provides: “[i]n the [Park], unless fees are charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.” *Id.* Since State Highways 71 and 73 would certainly be considered main highways into the Park, and since the Deed does not allow fees to be charged on their use, it is the opinion of this Office that this provision prohibits the charging of entrance fees on roads elsewhere in the Park.⁵

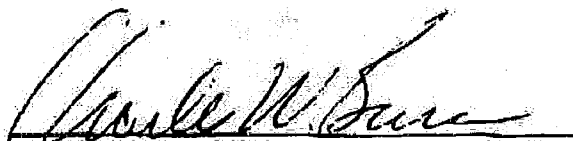
II.

A final question is asked; even though this Office’s opinion is that fees cannot currently be charged of visitors to the Park, would the National Park Service be restricted from establishing collection booths on State Highways 71 and 73 to solicit voluntary donations for the Park’s benefit?

The language of the Deed states that no toll or fee may be imposed on these roads. The use of the term “imposed” suggests that the Tennessee General Assembly was concerned with a forced payment required from travelers. In addition, the definitions of “fee” and “toll” seem to contemplate a required payment. “Fee” is defined as a charge fixed by law, while “toll” is partially defined as the price of a privilege of travel over a particular road. Black’s Law Dictionary 533, 1554 (5th Ed. 1979). However, since the language of the Deed and the Public Acts reserves to Tennessee the right to allow the public to use these highways, it does not appear that the United States may impede the flow of traffic by the stationing of voluntary collection booths along the highways. Therefore, it is the opinion of this Office that although nothing in the Deed or the Tennessee Public Acts seems to prohibit the stationing of collection booths for receiving voluntary donations to the Park along State Highways 71 and 73, such booths must be situated in a manner that does not impede the free flow of traffic over such highways.

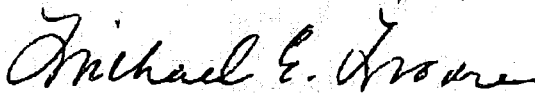
⁴ However, the State of Tennessee has consented to the United States prohibiting the use of commercial vehicles on these roads. Tenn. Code Ann. § 11-18-107 (1992).

⁵ But it does not appear that every type of fee in the Park is prohibited by this statute. For example, absent another statutory prohibition, it appears that fees could be charged for the use of facilities (such as campgrounds) of the Park.



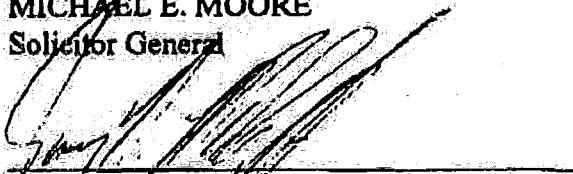
CHARLES W. BURSON

Attorney General and Reporter



MICHAEL E. MOORE

Solicitor General



GARY N. MEADE, JR.

Assistant Attorney General

Requested by:

The Honorable Bud Gilbert
War Memorial Building, Ste 306
Nashville, Tennessee 37243-0207

Clayton Jordan

main

From: Melissa_Cobern@nps.gov
Sent: Wednesday, January 04, 2012 3:47 PM
To: msommerville@appalachiantrail.org; adowns@appalachiantrail.org;
rittergeo@gmail.com; philip.royer@asgarch.com; rhketelle@comcast.net;
bproudman@appalachiantrail.org; judyjim@skybest.com; Rita_Hennessy@nps.gov;
Todd_Remaley@nps.gov; David_Reus@nps.gov
Cc: Clayton_Jordan@nps.gov
Subject: GRSM AT Working Group Meeting

All,

We have a full day planned this Friday and I want to say thanks to everyone involved for your time and commitment to working on the important issues we will discuss.

We will meet in the HQ conference room at 9:00 and begin the day with the AT Smokies Capital Plan meeting. The Capital Plan Meeting will be followed at 10:00 by a working group meeting to discuss AT thru hiker logistics in the context of the Smokies Backcountry Restructuring Proposal. We will end the day with a discussion about the state of the Icewater shelter, impacts to the site and possible mitigations.

The GRSM Backcountry Restructuring Proposal is two pronged in that it has both philosophical and logistical components. During our working group meeting on Friday we will be focusing on the logistical concerns outlined in the ATC's memo of November 3, 2011, as well as those that have been raised through discussions between park staff, partners, volunteers and others. Our goal is to figure out how best to accommodate thru hikers within the context of the proposal; in accordance with law, regulation and policy and in such a manner as will allow all of us to pass the "red face test" in the eyes of the public.

Philosophy regarding charging vs. not charging a fee is an important question that has been considered through the civic engagement process.

Many opinions regarding fees were received from a wide variety of individuals and groups, including the ATC. Of the three fee structure alternatives presented in the proposal, \$4 per person, per night was the most popular option and also viewed as the most equitable for the majority of park users. Thus, GRSM has asked the National Park Service Director to consider this fee structure for approval.

In closing, I want to reaffirm our commitment to you and to the process of working together to create a thru hiker system that works well for all. We sincerely appreciate the time you are putting into this process and I look forward to seeing you on Friday!

Melissa K. Cobern
Great Smoky Mountains National Park
Backcountry Management Specialist
865-436-1264



Richard
Devenney/Atlanta/NPS
01/05/2012 10:44 AM

To: Dale Ditmanson/GRSM/NPS@NPS
cc: Clayton Jordan/GRSM/NPS@NPS, Gordon
Wissinger/Atlanta/NPS@NPS, Jonathan
Pierce/Atlanta/NPS@NPS, Kevin
bcc
Subject: Re: Fee Increase request for GRSM

Thanks Dale-

As I told Clay yesterday afternoon, I think the approval is there but it would be helped along if the park has a direct discussion. Both Jane and I know that the group doing all of the negative talking is a very vocal minority, but apparently, the Director wants to avoid approving requests when there is significant negative comments. I don't believe that's the case here as all of the governmental and stakeholder groups approve of the request.

Let me know if I can be of any assistance in this matter.

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov

Dale Ditmanson/GRSM/NPS



Dale Ditmanson/GRSM/NPS
01/05/2012 10:38 AM

To: Richard Devenney/Atlanta/NPS@NPS
cc: Clayton Jordan/GRSM/NPS@NPS, Gordon
Wissinger/Atlanta/NPS@NPS, Jonathan
Pierce/Atlanta/NPS@NPS, Kevin
Fitzgerald/GRSM/NPS@NPS, Shawn
Berge/Atlanta/NPS@NPS, Wayne Elliott/Atlanta/NPS@NPS
Subject: Re: Fee Increase request for GRSM

I will be talking with Rob Gordon, acting DDBS.

thanks

Dale A. Ditmanson
Superintendent
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738
865-436-1201
865-436-1204 (fax)
Richard Devenney/Atlanta/NPS

Richard



Devenney/Atlanta/NPS

01/05/2012 07:15 AM

To: Gordon Wissinger/Atlanta/NPS@NPS, Shawn
Benge/Atlanta/NPS@NPS;

cc: Clayton Jordan/GRSM/NPS@NPS, Wayne
Elliott/Atlanta/NPS@NPS, Jonathan
Pierce/Atlanta/NPS@NPS, Kevin
Fitzgerald/GRSM/NPS@NPS, Dale
Dilmanson/GRSM/NPS@NPS

Subject: Fee increase request for GRSM

Good morning gentlemen-

After several conversations Tuesday and yesterday regarding the fee increase request for GRSM, WASO Fees and I have both come to the conclusion that we all may be better served if the park and/or a DRD have a direct conversation with the Deputy Director for Business Services (DDBS). After several attempts to get this request approved, each has been met with another question. First, the Director asked for legal clarification on the park's ability to charge fees given the Deed Restricted aspect of the park. That has been addressed but now, we are getting questions about the number of negative comments received during the civic engagement processes. Despite our best efforts, both Jane Anderson and I feel that the process would be helped along if the park and/or a DRD have the conversation directly with the DDBS in WASO to address their concerns and get this request approved.

Even though the park does not plan to implement the increase until 2013, the park needs the approval to move forward and get a reservation system in place. The park has been in lengthy negotiations with Rec.gov through Rick Delappe in WASO fees and it appears that the park may need to develop their own reservation system as the rec.gov folks have not been very responsive. This means that the park may need to expend park funds to develop the new system prior to the implementation of the new fee to be ready.

I will be working from home trying to get rid of a bad sinus infection, but will be available all day by e-mail or cell phone to address questions or concerns and help out in any way I can.

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov



Clayton Jordan/GRSM/NPS
01/17/2012 08:12 PM

To Rich Devenney, Jane Moore/WASO/NPS@NPS, Pamela Underhill/APPA/NPS@NPS, Melissa Cobern/GRSM/NPS@NPS, Dale Ditmanson/GRSM/NPS@NPS, Kevin Fitzgerald/GRSM/NPS@NPS, msommerville@appalachiantrail.org

cc

bcc

Subject GRSM Fee Implimentation Plan

All:

Apparently when I forwarded our original submission to Rich I managed to mislabel a draft as "Final" and inadvertently forwarded the wrong version. Attached is the version I intended to send (v. 3 Final). If you would switch the two out and destroy your old copy I would appreciate it. There were no substantive changes between the two versions but we better word-smithed the "Feedback from General Public" section. I apologize for any inconvenience this caused you!

Thanks,

Clay



BC Fee Implementation Plan ver. 3 FINAL.doc

Clay Jordan
Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244



Anderson, Jane <jane_anderson@nps.gov>

: Great Smoky Mtns and Gateway Fee Approvals

1 message

Jane_Moore@nps.gov <Jane_Moore@nps.gov>
To: Jane_Anderson@nps.gov

Wed, Jan 25, 2012 at 12:16 PM

FYI

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St., 10th Floor, Rm #36
Phone: (202) 513-7132
Fax (202) 371-2401

— Forwarded by Jane Moore/WASO/NPS on 01/25/2012 12:16 PM —

Jane
Moore/WASO/NPS

To: Claire Rozdilski

cc

01/25/2012 12:16 PM

Subject: Fw: Great Smoky Mtns and Gateway Fee Approvals

1. Claire can you follow up with Peggy to see if she has had a conversation with the Supt at Smokies, Dale Ditmansen and whether she and the Director have concurred or not with their backcountry fee request?
2. Also find out for us if there has been a conversation between Dennis and the Director about the Gateway parking fees, and if there is a decision?

These two decisions are still hanging chads and are holding up our fee rate approval memo for those regions. Both these fee requests had some push back when they did their civic engagement and Peggy wanted some additional followup with the parks and/or RD's.

I know how busy Peggy and the Director are.. we greatly appreciate if you can help us keep these on the front burner in order to get resolved.

Many thanks!

(Re-forwarding an earlier email sent to Peggy)

Jane

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Phone: (202) 513-7132

Fax (202) 371-2401

— Forwarded by Jane Moore/WASO/NPS on 01/25/2012 12:03 PM —

**Jane
Moore/WASO/NPS**

01/18/2012 02:38 PM

ToPeggy O'Dell/WASO/NPS@NPS

ccClaire_Rozdilski@nps.gov

SubjectRe: Great Smoky Mtns¹

We spoke at length yesterday, Dale wants to follow up personally with you Peggy to provide the background on their fee request.

I'm not opposed to the rationale for their fee, they do need the ability to provide permits for those using the backcountry. My concerns are more about the specific negative public feedback they received and how they plan to be responsive to it. Its especially important now that this fee is on the radar screen of the Western No Fee Slope Coalition. Dale did volunteer to contact Kitty Benzar and other constituents. I think it will be important to monitor public sentiment to see if things quiet down (vocal minority) or if it continues to be an issue and adjustments need to be made (fund it a different way, lessen the fee, delay implementing etc)

Here is the most recent implementation plan.. you might want to read over the "outcome of public scoping" section before you talk with Dale.

(See attached file: BC Fee Implementation Plan ver. 3 FINAL.doc)

Thanks!

Jane

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St, 10th Floor, Rm #36

Phone: (202) 513-7132

Fax (202) 371-2401

▼ Peggy O'Dell/WASO/NPS

**Peggy
O'Dell/WASO/NPS**

01/18/2012 07:11 AM

ToJane Moore/WASO/NPS@NPS, "Claire_Rozdilski"
<Claire_Rozdilski@nps.gov,>

ccRobert Gordon/WASO/NPS@NPS, "Maureen Foster"
<Maureen_Foster@nps.gov>

SubjectRe: Great Smoky Mtns¹

--Thanks. Yes please continue your review and we can regroup whn you have enough info.

Sent from my BlackBerry Wireless Handheld

▼ Jane Moore

Sent: 01/17/2012 03:55 PM EST

To: Claire_Rozdilski@nps.gov,; Peggy O'Dell

Cc: Robert Gordon

Subject: Fw: Great Smoky Mtns

One of the fees on the list we reviewed with Peggy was to establish a new backcountry permit fee at Great Smokies. It is a new fee, and received many negative public comments. Peggy wanted more conversations with the Supt/Region to be sure that there was a compelling reason and more information to inform the Director of its controversial nature with some groups.

FYI we recently found out that there was a FOIA request of public comments received made from one of the park's local critics, Mr. John Quillen. Some of the concerns originally were centered around Smokies having a "deed restriction" tied to entrance fees and some of the locals mistakenly believed that it pertained to any access fees in the park. Solicitors determined that backcountry fees and camping fees are not subject to the Deed Restriction. Apparently there are other concerns though and now a new person Kitty Benzar, Western No Fee Slope Coalition involved (see below email).

My suggestion is to wait on the fee concurrence until we can better gather more information about how "controversial" this fee really is.. Is it one person who is philosophically opposed or many?

Has the park explored all the options and communicated clear information about the benefits and rationale with both supporters and critics? Have they considered charging less fees or subsidizing the costs with other fee revenues? Smokies generates nearly \$1.6 million in fee revenue annually.

The park has been operating its backcountry permit system with an old software program that is dying. Rick Delappe on my staff has been working with them to see if Recreation.gov can offer them a solution.. Recreation.gov doesn't have permit software fully developed but we are hopeful to have something workable by FY13 which is when they are proposing to have the new advanced permit system in place. If Recreation.gov can be utilized the contracted costs for this service would be fairly inexpensive.. \$65-75K. They might need some additional staff to administer the permits.

Let me talk to Dale one more time and then circle back with you,

There is another slight complication in that the park is planning to collect this fee under the "special park use" (cost recovery) authority and not FLREA. Technically there is no civic engagement/director approval requirement.

Hope this helps to clarify,

Jane

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St, 10th Floor, Rm #36
Phone: (202) 513-7132
Fax (202) 371-2401

— Forwarded by Jane Moore/WASO/NPS on 01/17/2012 03:13 PM —

Jane
Moore/WASO/NPS

01/17/2012 03:13 PM

ToDale Ditmanson/GRSM/NPS@NPS, Clayton
Jordan/GRSM/NPS@NPS

ccJane_Anderson@nps.gov

SubjectFw: Great Smoky Mtns

biggest critic of the Recreation Fee Program.. most of her concerns are focused with the USFS but for some reason she has been in contact with John Quillen concerning your backcountry fee request... Don't know if Kitty knows John Quillen or if it had to do with Kurt Rippencheck picking it up in his National Parks Traveller blog... but Kitty does have some political support on the hill and FLREA reauthorization is coming up, so I think it is prudent that we try and be responsive and at a minimum provide good information to both John and Kitty about the rationale and process. I know that you all feel a bit frustrated and I understand that the current way you are managing back country fees is failing, but I think it would behoove us all to go the extra effort on this to be sure that we are minimizing controversy for the broader fee program and communicating well with all constituents and critics about the need and benefits of this added service/fee.

Can we set up a joint call with Mr. Quillen to try and quell any misunderstandings either about the rationale/numbers justifying the need for the backcountry fee, and also make sure we have the right information about his FOIA costs? Can you give me a call to see what we can arrange?

Thanks

Jane

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St, 10th Floor, Rm #36
Phone: (202) 513-7132
Fax (202) 371-2401

— Forwarded by Jane Moore/WASO/NPS on 01/17/2012 08:54 AM —

Kitty Benzar
<wsnofee@gmail.com>

01/15/2012 08:22 PM

To "Jane Moore (NPS Fee Prog Mgr)" <jane_moore@nps.gov>

cc John Quillen <johnquillen@comcast.net>

Subject: Great Smoky Mtns

Hello Jane,

I really enjoyed meeting you and Sandhya in Williamsburg and appreciate the time that you spent talking with me.

I want to follow up with you on the situation in Great Smoky Mountains NP that I mentioned. If you could communicate with Tennessee resident John Quillen, I think you will find it time well spent. I've cc'ed his email above and his phone number is 865-579-4443. The basics are that the Park wants to start charging a fee for backcountry permits. They've based their published proposal on data that John has reason to believe is false, and appear to be proceeding in spite of strong public opposition. John did a FOIA for the public comments and was told it would cost over \$1,000 to provide them, which gives the appearance that the Park has something to hide. All of this is pitting the local community against the Park Service, which can't be a good thing for either party.

If you would consider contacting John and discussing his concerns directly with him I think it would provide you with some insight into why I think that the public participation process under FLREA is not working very well.

Thanks for considering it,
Kitty

Kitty Benzar
President
Western Slope No-Fee Coalition
P.O. Box 135
Durango, CO 81302
970/259-4616 (Landline)
970/946-2909 (Cell)
www.WesternSlopeNoFee.org

 **BC Fee Implementation Plan ver. 3 FINAL.doc**
103K

NATIONAL PARK SERVICE
Recreation Fee Implementation Plan Effective CY 2012

Region: SER

Park: Great Smoky Mountains

Superintendent: Dale Ditmanson

Designated Park Contact for Recreation Fees: Bob Wightman

Phone: 865-436-1261 **Fax:** 865-436-1244

ENTRANCE FEES

Pricing Model >

	Annual Pass	Vehicle	Per Person	Motorcycle
Group/Tier 1	\$ 20	\$ 10	\$ 5	\$ 5
Group/Tier 2	\$ 30	\$ 15	\$ 7	\$ 10
Group/Tier 3	\$ 40	\$ 20	\$ 10	\$ 15
Group/Tier 4	\$ 50	\$ 25	\$ 12	\$ 20

List your Parks Pricing Model Group/Tier (Above Chart) NA _____

CURRENT Entrance Fees

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

PROPOSED Entrance Fee Increases

**Effective
Date:** NA

Annual Pass \$	Vehicle \$	Per Person \$	Motorcycle \$	Current Revenue \$	Agreement/ Contract? Y or N (If Y, attach a copy to this request)	Passes Honored	<input type="checkbox"/>
NA	NA	NA	NA	NA		Annual	
						Senior	
						Access	
						Volunteer	
						Other-LIST:	

Will you be changing the length of stay for the entrance fee? NA

If yes please list your change from current _____ days to _____ days. Current length of stay _____

EXPANDED AMENITY FEES:

FOR ALL PROPOSED FEE INCREASES, YOU MUST ATTACH A COMPARABILITY REPORT

LIST ALL EXPANDED AMENITY FEES INCREASES REGARDLESS OF AUTHORITY:

NAME OF FEE & LOCATION	# of Effected Campsites	CURRENT FEE	PROPOSED FEE	DATE of Implementation	NRRS Y/ N	DISCOUNTS ALLOWED?
See sample below - *						
Sample *Buckhorn - Non-hookup Site	5	\$14.00	\$20.00	1/1/12	Y	Senior/Access
See attached schedule of expanded amenity fees fees						

List all **NEW** expanded amenity fees and what PWE they will be deposited into:

New Fee Location	Type of Fee	Number of sites	Proposed Fee	Implementation Date	PWE	Discounts
See sample line below						
Buckhorn Group	Camping	55	\$30. Per group	5/20/2009	708	Senior/Access
Backcountry campsites/shelters	Camping	101	\$4 per person per night	1/1/13	717	None

You are required by the Federal Lands Recreation Enhancement Act (REA) to gain input about your proposed increased or new fees from local officials and the public **prior** to requesting approval through this implementation plan process. Please see *Fee Program Guidelines for Public Participation* and *Notification Guidelines* for detailed explanation. **If you have not engaged the public about the proposed fee change, then you cannot request the change until the following is completed.** If you have engaged the public by survey, or are awaiting comments please allow adequate time for response before submitting this request.

Case 3:13-cv-00116-TWP-HBG Document 39-2 Filed 05/07/14 Page 115 of 138 PageID #: 608

1. How was the proposed new fee rate determined? List details for each new fee included in this plan. [Was it through comparability, i.e., comparison to like facilities/services offered in your area? Was it set by cost recovery, i.e., to recover the direct costs of providing the program/service for which you are charging a fee?] Provide details for each proposed fee, such as actual prices at other sites if using comparability, etc.

The proposed fee was determined to recover the direct costs for providing a reservation system with both internet and phone-in reservation capability, increased public access to trip planning assistance and permit compliance monitoring.

A comparability study of other NPS sites was also performed. Rates at other large parks with similar backcountry characteristics are as follows:

- o ROMO, YELL: \$20.
- o GRTE: \$25.
- o YOSE: \$5+ \$5/person.
- o GLAC: \$30+ \$2.50-\$7/person (depending on age).
- o OLYM: \$5/group+ \$2 person/night.
- o GRCA: \$10+ \$5/person/night.

Based on comments received during the civic engagement process, \$4 per person per night is the fee rate and structure most preferred for GRSM. This rate and structure provides for cost recovery and is more equitable for all users than a flat fee. That is, customers who stay for shorter periods of time are not penalized by having to pay the same as those staying longer. Based on GRSM user statistics, this fee structure benefits the majority of backcountry users, as the average length of stay is two days.

Please advise us if this is a:

***** **NEW FEE AREA******* (you have never collected a FLREA fee at this site before) WASO will initiate the Federal Register Process through a call for new fee areas. *****

2. Please provide the following PMIS project numbers:

- a. Cost of Collection – Operations: _____
- b. Cost of Collection – Fee Management Agreements _____
- c. Reservation System Operations: _____
- d. Fee Management Agreements: _____
- e. Transportation Project: _____

ELIMINATION OF CURRENT FEE:

If you are proposing to eliminate a current fee provide the following information:

- 1. Name, type of fee, rate, and authority used to establish fee.**
- 2. Reasons for eliminating fee.**
- 3. Estimated loss of annual revenue due to elimination of fee.**

ⁱRevised 1/7/2011

Great Smoky Mountains National Park Expanded Amenity Fees

Family Campgrounds

Abrams Creek	\$14
Balsam Mt	\$14
Big Creek	\$14
Cades Cove	\$17 - \$20
Cataloochee	\$20
Cosby	\$14
Elkmont	\$17 - \$23
Look Rock	\$14
Smokemont	\$17 - \$20

Group Campsites

Big Creek	\$44
Cades Cov	\$35 - \$65
Cataloochee	\$35
Cosby	\$26
Deep Creek	\$35
Elkmont	\$26 - \$53
Smokemont	\$35

Horse Camps

Anthony Creek	\$20
Big Creek	\$25
Cataloochee	\$20
Round Bottom	\$20
Tow String	\$20

Picnic Areas

Big Creek	
Cades Cove	
Chimneys	
Collins Creek	\$20
Cosby	\$20
Deep Creek	\$20
Greenbrier	\$10
Heintooga	
Look Rock	
Metcalf Bottoms	\$20
Twin Creeks	\$35 - \$75

Appalachian Clubhouse \$400 - \$600

Summary of GRSM Civic Engagement Process and Outcome

Public Scoping Process

- During the weeks of July 25th and August 1st a detailed briefing of the fee proposal, including instructions for submitting comments, was widely distributed to all potentially interested park partners and other NGO's, CUA holders, local Congressional delegations, and state and local elected representatives and government officials. This briefing was also posted by a recipient onto a popular local public blog site.
- Phone calls were made to the delegations, CUA holders, partners and local officials.
- A press release on the proposal, including information on public meetings and instructions for submitting comments, was distributed during the week of July 25, 2011. This was followed up with a second press release the week of August 8th to remind the public of the scheduled public meetings.
- Numerous media interviews were granted with television, radio, internet, and print media during late July and August.
- Two scheduled public open houses were attended by the general public: August 16, 2011, Cherokee, North Carolina (attended by 35 citizens); August 18, 2011, Gatlinburg, Tennessee (attended by 45 citizens).
- Responded to an invitation to address membership at a partner NGO meeting on the proposal.
- Written public comments were received through August 26, 2011.
- Park staff monitored several public blog threads addressing the proposal.

Outcome of Public Scoping

Feedback of Congressional Delegation and Nearby Federal, State, & County Officials: No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of seven counties neighboring the park) who were opposed to any backcountry camping fees in principle.

Feedback of Stakeholder Organizations: No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed and, as such, no formal position was received from the NGO within the time constraints but Park and NGO staffs continue to engage to resolve specific areas of concern. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.

Feedback of General Public: Of the approximate 33,000 backcountry campers expected to benefit or be impacted by the proposal, a total of 230 written comments and two petitions were received from the general public. Of the responders, more expressed specific concerns than support for the proposal. However, a significant number of responses received either showed support for the proposal or offered substantive comments toward improving it. Based upon discussions at the open houses, reviews of the local blogs, and statements contained within the written comments, it appears that most respondents are likely to be relatively local, frequent overnight users, who are well familiar with the park's backcountry. A less represented stakeholder group appears to be the less-frequent backcountry users who travel from outside the area. These stakeholders, though substantial in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.

Two petitions were received expressing opposition to the proposal. However, it is unclear for one petition what information signers received about the proposal other than the possibility of a fee. A second petition, coordinated online, lists as its most important tenant the misperception that the Park cannot collect an expanded amenity fee for backcountry camping due to a belief that there exists a deed restriction that prohibits the park from charging an *entrance* fee. There is no such limitation nor is there any other legal impediment to implementing a new user fee.

Most substantive respondent comments tended to fall into one of several categories and the commonly expressed points are summarized as follows:

- **General principle of charging a fee for overnight backcountry users:** Though a number of respondents supported the concept that such a fee is appropriate to be collected and used as proposed, the majority of respondents were opposed to any new fee. Some of the opposition seems to be philosophically based; some based on the perception that visiting the park was intended to be "free" by its founders; some based on the objection that overnight backcountry users would have to pay a fee while many other park users would not; some based on the opinion that the Park should be able to absorb the increased costs with existing funding allocations; and some based on the perception that some users cannot afford the fee.

- **Fee rate and structure:** General concern was expressed about keeping any fees reasonable. The greatest support was shown was for a fee of \$4 per person, per night fee structure, one of many options forwarded to the public for consideration. This rate and structure was perceived as having the least financial impact to the average GRSM backcountry permit holder and seemed to many responders to be the most equitable (i.e. cost directly equates to extent of use). Many respondents, though, felt that stock users should pay more, while others were in support of a frequent user pass
- **Reservation system:** Some respondents thought an expanded reservation system was appropriate and that Recreation.gov or another online system would be a worthwhile improvement. Other respondents objected to the use of Recreation.gov due to their perception that it is cumbersome to use or that the revenues should be used to employ local call handlers familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
- **Thru hikers:** Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.
- **Desired outcome if the proposal is implemented:** Some respondents expressed distrust that funds would be used as proposed, while others were supportive of the fee as long as used as indicated. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though some expressed doubt that two rangers would make much of a difference.

Management Position: After evaluating all comments received, park management feels that the benefits from the services proposed outweigh the concerns expressed over imposing a new fee. It appears that most issues of concern that go beyond the philosophical issue of imposing any fee can be satisfactorily addressed in the design of a reservation system and its subsequent implementation. The Park has learned much by engaging the public in this process and that many real concerns and constructive recommendations came out of it. The Park plans to work closely with partners to ensure continued input into the evolution of the proposal if this Fee Plan is approved.



Anderson, Jane <jane_anderson@nps.gov>

Smokies Backcountry Fee Proposal (more negative feedback)

1 message

Jane_Moore@nps.gov <Jane_Moore@nps.gov>

Thu, Jan 26, 2012 at 9:33 PM

To: Claire_Rozdilski@nps.gov

Bcc: Jane_Anderson@nps.gov

Sorry to add one more email to the string..but if you could print this out for Peggy with the other emails.. just received this one today. I also received a copy of all the public comments..(230 written comments) and two signed anti-fee petitions. The majority of written comments are negative but there is both negative and positive comments about the proposed fee. Most of the opposition is coming from the locals that use the park.

My recommendation is to allow the park to move forward with a back-country permit system in FY13 but that they need to re-examine how to make the fee and permit process more supportable by the local public.. (ideas: consider lowering the fee..only fund the admin/IT aspects of issuing permits, not pay for additional rangers..or maybe leverage other funds to cover the costs...etc. I also spoke again with the SER Regional Fee Program Manager today who was going to be sure that the RD was up to date on this issue.

Sorry for so many emails... just want to be sure that Peggy and the Director have what they need to make an informed decision.

Jane

Jane Moore
Washington Office Fee Program Manager
1849 C Street, NW (Org Code 2608)
Washington DC 20240

Office location: 1201 Eye St, 10th Floor, Rm #36
Phone: (202) 513-7132
Fax (202) 371-2401

— Forwarded by Jane Moore/WASO/NPS on 01/26/2012 01:27 PM —

John Quillen
<johnquillen@comcast.net>

Tojane_moore@nps.gov

01/26/2012 10:17 AM

cc

Subject: Smokies Backcountry Fee Proposal

Hello Ms. Moore,

Kitty Benzar suggested that I contact you and send a couple of links.

You are probably aware that we are fighting the backcountry fee proposal in the GSMNP. Enclosed is a link to our coalition.

<http://southernforestwatch.org/>

I also wanted to add a link to our blog where folks log in and discuss the fee proposal and voice their objections. Judging by the tally of recent public comments submitted to the park, it is apparent that there

is a lot of opposition to the proposed fee. I hope this information is helpful.

Case 3:13-cv-00116-TWP-HBG Document 39-2 Filed 05/07/14 Page 121 of 138 PageID #: 614

does not have any interest in engaging the public to find solutions or alternatives despite multiple offers by volunteers. I appreciate your attention to this matter. We love our Smokies down here and are quite passionate about the park. If you have any suggestions or ideas I would love to hear from you.

[http://gotsmokies.ning.com/profiles/blogs/backcountry-tax-feeasco-the-unedited-and-uncensored-edition?](http://gotsmokies.ning.com/profiles/blogs/backcountry-tax-feeasco-the-unedited-and-uncensored-edition?xg_source=activity)
xg_source=activity
(this is our blog)

Thanks so much for your time.

Sincerely,

John Quillen

**Appalachian Trail Thru Hiker
Working Group Meeting
Great Smoky Mountains National Park
January 27, 2012**

Attending: Morgan Sommerville, ATC; Andrew Downs, ATC; Dick Kettle, SMHC; Phillip Royer, SMHC; George Ritter, SMHC; Jim Mowbray, Former ATC Ridgerunner; Todd Remaley APPA; Melissa Cobern, GRSM.

Purpose: The group's goal is to determine how best to accommodate thru hikers within the context of the park's proposal to restructure backcountry operations and ultimately prepare recommendations for park management. The focus of the group is on addressing logistical, rather than philosophical issues related to the proposal. Recommendations will be congruent with law, policy and regulation and will consider the "red face test" in regard to public reaction to recommendations.

Statement Regarding Fees

In addition to addressing logistical permitting and fee issues for thru hikers under the new backcountry proposal, the Working Group requests that managers of GRSM and APPA work together to revisit the philosophical issue of a fee for AT thru hikers. Specifically, the Group asks that management contemplate a larger view of the trail and consider the possibility of thru hikers being viewed as primary users of APPA rather than GRSM. Under that view, the park's current definition of a thru hiker would be extended to one that is more congruent with a traditional definition and one that is used by the ATC: "a hiker or backpacker who is attempting to walk the entire Appalachian Trail in one uninterrupted journey." The park's current definition is a person who begins and ends a hike on the AT through the park 50 miles or more outside the park.*

The Working Group makes this request for the following reasons:

- a. Although GRSM comprises just 3.3% of the A.T., its policies have the potential to set a precedent for the entire Trail.
- b. The precedent set by fees is counter to the A.T. Comprehensive Plan and to the spirit and purpose on which the Trail was founded.
- c. To this point, use of the A.T. has largely been free. There are locations in the White Mountains where fees are required for shelters. Although it may require some effort to be in compliance with regulations, staying at these shelters is not mandatory. Camping in a campsite is mandatory at Baxter State Park, as is a fee for camping. The Birches campsite, however, is set aside solely for thru hikers. Consequently, it is immediately apparent how thru hikers benefit from these fees.
- d. The Working Group opines that the potential benefits to thru hikers as a result of fees (e.g., enforcing site quotas, enforcing regulations that lead to better resource protection and fewer site closers, etc.) in the Smokies are outweighed by the precedent setting nature of the fee and the increased effort necessary for thru hikers to obtain a permit. Hiking the A.T. should be as unrestricted as possible (Reference the Appalachian Trail Comprehensive Plan).
- e. Volunteers and partners donate countless hours to the A.T., which translates into a sizable financial contribution toward maintaining the Trail. This contribution could be viewed as "in kind" to offset fees for thru hikers.

Recommended Method for Thru Hiker Fees/Permits in Context of the Backcountry Proposal

- Keep park's current definition of thru hiker
 - A hiker who begins and ends hike at least 50 miles outside the park**
- Thru hikers would pay a flat fee of no more than \$20
 - A \$20 flat fee equates to \$4 per person, per night, for 5 nights which is based on the average number of nights thru hikers spend in the park.
- Each thru hiker would need his or her own permit
 - Single permits may help increase accountability and decrease abuse by those claiming to be thru hikers.
- Thru hikers should be able to pay fees and obtain permits online, over the phone, by fax, by mail and in person.
 - Because they are essentially living on the trail, thru hikers should have multiple ways in which to obtain a permit and pay fees.
 - Checks/money orders should be accepted through the mail or in person. Cash should be accepted in person.
 - Thru hikers should be able to obtain permits more than 30 days out.
 - Expanding the time frame during which thru hikers could obtain permits would allow the majority of thru hikers (northbounders) to obtain permits before leaving on their hike.
 - Places along the trail at which thru hikers could obtain a permit via phone, internet, etc. include:
 - Library at Hot Springs, NC
 - Free internet
 - Printing for a small fee
 - Fax for a small fee
 - Cell reception
 - No landline at library, but available at multiple other locations in Hot Springs
 - Bluff Mountains Outfitters at Hot Springs, NC
 - Internet (30 minutes free), must use own device & no way to print
 - Cell reception
 - Pay phone in area
 - Fax for small fee
 - Multiple locations in Hot Springs for landline or fax
 - Standing Bear Hostel in Hartford, TN
 - Cell reception in area, but not at farm
 - Landline for use with calling card
 - No fax
 - WIFI for small charge, must use own device & no way to print
 - Fontana Village in Fontana, NC
 - Cell phone access from lodge lobby and at store
 - Free WIFI at lodge lobby and store, must use own device & no way to print
 - Calling cards for sale and house land line available

- Fax available at lodge to send and receive for small fee
- The Hike Inn Fontana, NC
 - No cell phone access, but free landline
 - No internet
 - No fax
- NOC in Wesser, NC
 - Free WIFI, must use own device and no way to print
 - Fax for a fee
 - Cell phone reception
 - No landline
- Library in Franklin, NC
 - Free internet
 - Printing for a small fee
 - Fax for small fee
 - Cell phone access
 - No public landline
 - Multiple locations in Franklin for landline and fax
- No refunds should be issued
 - No refund eliminates a potential avenue of abuse of system by those who hike the trail, but claim they did not.
- Thru hikers should not be required to make reservations for each night's stay and should still be allowed to tent at shelters if they are full
 - The effect of shelter closures makes it impossible to treat thru hikers the same as the general public in terms of requiring reservations for each night's stay. We would create large backlogs of thru hikers at Fontana, which would overwhelm TVA resources and encourage thru hikers to enter the park illegally.
 - Flexibility is needed to accommodate the large number of thru hikers in the spring. Even without closures, during the busiest times there would be a backlog of thru hikers at Fontana if reservations for each night's stay were required. This would result in overcrowding at the Hilton and encourage thru hikers to enter the park illegally.
- Thru hikers should have a paper permit, not merely an electronic version of one
 - Paper permits are vital for keeping accurate records of those who actually entered the park as thru hikers rather than those who simply obtained a permit but did not use it.
 - Permits should be on one page. Thru hikers would tear off the bottom of the permit and deposit in a drop box at either Fontana or Davenport Gap.
 - Paper permits also greatly facilitate checking compliance in the field

Further Recommendations

- 40% of park trail use includes the A.T. A proportionate amount of backcountry rangers' time should be spent patrolling the A.T. A significant amount of the Rangers' time should be spent on the A.T. in the spring.
- To help minimize resource damage around the shelters, at least two additional bunk spaces (or the 6 spaces in upper bunks) should be reserved for thru hikers during thru hiker season. Thru hiker numbers in the Smokies have almost quadrupled since 1980 and no changes have been made to the number of reserved bunks for thru hikers.

- Consider a flat permit fee for all users rather than a per person, per night fee. Flat fees keep the process simple. A flat fee could be capped at a particular number of nights.
- Work with the ATC to reevaluate the optimal number of Ridgerunners or length of Ridgerunner season for the park. In the past, housing has been an issue but is no longer a concern with the Soak Ash property. Increasing the number of Ridgerunner's would support the park's increased focus on backcountry issues.
- Consider current collateral for citations and make sure that fines are large enough to be a deterrent.

- Information regarding fee and permit procedures should be squared away no later than September 2012 to be able to update various guidebooks. Ideally, we should all work together to make sure the information is disseminated as soon as possible after a decision is made.
- Signs should be prepared and posted well in advance at Fontana and Davenport (and other points north and south) letting hikers know of permit and fee requirements

- Do other park's offer refunds for permit fees? *Six backcountry parks were contacted. None offer refunds of either permit or reservation fees. Parks contacted were: Rocky Mountain, Glacier, Yellowstone, Grand Canyon, Zion and Dinosaur.*
- What is the collateral at Smokies for not having a backcountry permit? *\$50. A warrant may be issued for those who fail to pay or appear in court.*
- Can we manage some of the plant species at the sites to help propagate them? *Suggest we discuss this with Janet Rock during Ridgerunner training.*

****This definition was documented in the original notes from the meeting and may be revisited by the group if management does not approve a fee waiver for AT users.**



Shawn Bengé /Atlanta/NPS
02/02/2012 12:51 PM

To: Richard Devenney/Atlanta/NPS@NPS
cc
bcc
Subject: Re: GRSM Fee Request update

I thought that would be the case. Thanks for sharing.

Shawn Bengé
Deputy Regional Director
Southeast Region
(404) 507-5805 Office
(404) 272-7253 Cell

Richard Devenney Shawn- per our conversation last Friday, I called... 02/02/2012 12:15:19 PM



Richard
Devenney/Atlanta/NPS
02/02/2012 12:15 PM

To: Shawn Bengé/Atlanta/NPS@NPS
cc: Wayne Elliott/Atlanta/NPS@NPS, Gordon
Wissinger/Atlanta/NPS@NPS
Subject: GRSM Fee Request update

Shawn-

per our conversation last Friday, I called Clay Jordan at GRSM to make sure about which authority that the park intends for the new backcountry permit fee. There was discussion in WASO that it was going to be under special park use and not FLREA.

Clay reviewed the information and has determined that the park intends to use either backcountry camping or special recreation permit authority (both are under FLREA). So this removes special park use authority from this discussion and puts it squarely back into FLREA.

Rich Devenney
Regional Fee and Special Park Use Program Manager
National Park Service
Southeast Regional Office
(404) 507-5640-voice-Fee Program
(404) 227-3927-cell/blackberry
(404) 562-3200-fax-Region
Richard_Devenney@nps.gov



Dale Ditmanson/GRSM/NPS
02/09/2012 09:32 AM

To Shawn Benge/Atlanta/NPS@NPS
cc
bcc
Subject Fw: Revised Briefing

Shwawn this (attached below) is longer than I planned - but I wanted to get you something quickly. Just so you are aware I have an interview with Nat. Park Travelor at 10 this morning on this subject.

Is Peggy meeting in SER today or next Thurs?

Dale A. Ditmanson
Superintendent
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738
865-436-1201
865-436-1204 (fax)

----- Forwarded by Dale Ditmanson/GRSM/NPS on 02/09/2012 09:31 AM -----



Clayton Jordan/GRSM/NPS
02/08/2012 07:00 PM

To Dale Ditmanson/GRSM/NPS@NPS
cc Kevin Fitzgerald/GRSM/NPS@NPS, Melissa
Cobern/GRSM/NPS@NPS
Subject Revised Briefing

Dale:

I have incorporated all of your edits and reworded the statement concerning ATC's position (you remembered it accurately).

I will be over in NC Thu morning but I think Melissa is around if you have any additional edits or questions.

Thanks,

Clay



Backcountry Permit Fee Proposal Briefing 2-8-12.docx

Clay Jordan
Chief Ranger
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN. 37738
Direct: (865) 436-1225
Cell: (865) 202-6725
Fax: (865) 436-1244



Backcountry Permit Restructuring Proposal Briefing

Revised 2-8-12

Introduction

In response to visitor feedback and operational needs, the Park is proposing to restructure the backcountry reservation and permitting processes at Great Smoky Mountains National Park. Restructuring will result in improved customer service and increased protection of park resources.

The Problem

- The park consistently receives visitor complaints about the amount of time and effort it takes to get a backcountry reservation and/or acquire backcountry planning information. This is a reflection of insufficient staffing for the volume of customers requiring reservations and/or trip planning information.
- The park frequently receives feedback from the public that they desire to see more rangers in the backcountry to address problems such as dogs on trails, exceeding site capacity, improper food storage, and other permit and camping violations. These violations negatively impact resources, and/or the experiences of other backcountry users.
- The park's current reservation system software is outdated.

The Backcountry Information Office (BIO) is staffed by one cooperating association employee and VIPs. Because of the specialized knowledge and experience required to provide high-quality backcountry trip planning services to the public, it is a challenge to recruit and retain qualified volunteers into these positions. Although volunteers would continue to be used, dependence on volunteer staffing is not a sustainable business model for continued operations of the BIO.

Proposed Solution

- Proactively replace the park's outdated reservation software with an on-line reservation system. This will provide campers 24-7 access to trip planning information, as well as the ability to make a reservation and print a permit from home. Provide NPS staffing in the BIO who can provide personal trip planning information in person and by telephone.
- Increase customer service by providing enough BIO staff to handle more than one caller at a time and increase hours of operation.
- Increase park's ability to reliably inform backcountry users of closures, safety issues and other important backcountry information by expanding the reservation requirement to all backcountry sites.
- Increase NPS presence in the backcountry by hiring two dedicated seasonal law enforcement positions to monitor recreational use in the backcountry.
- Recover costs for implementing these improvements by charging a backcountry camping fee of \$4 per person, per night. This is a less expensive cost structure than is currently in place at many other parks with heavy backcountry use. Note: GRSM visitors do not incur an entrance fee.

Outcome of Civic Engagement

- **Feedback of Congressional Delegation and Nearby Federal, State, & County Officials:** No written comments were received, though verbal comments were generally positive with the exception of the Swain County, NC commissioners (one of six counties neighboring the park) who were opposed to any backcountry camping fees in principle.
- **Feedback of Stakeholder Organizations:** No written comments were received from local Chambers of Commerce, tourism boards, Commercial Use Authorization holders, concessioners, or Friends groups. Verbal comments, however, from these stakeholders were generally positive. Opposition, however, was expressed by the Southern Appalachian Backcountry Horsemen on the basis that while they agree the current reservation system needs improvement, they are against any fee and that adding two backcountry rangers will not be worth the expense. Reaction from the Appalachian Trail Conservancy membership was mixed but the final position of the NGO was opposed to a fee unless specific concerns can be addressed. Discussions on these concerns are underway between the Park and ATC. Other partners and organized stakeholders either expressed support or a desire to work with the park to address their particular concerns if the proposal were to move forward.
- **Feedback of General Public:** Of the approximate 33,000 backcountry campers expected to benefit or be impacted by the proposal, a total of 230 written comments and two petitions were received from the general public. Of the responders, more expressed specific concerns than support for the proposal. However, a significant number of responses received either showed support for the proposal or offered substantive comments toward improving it. Based upon discussions at the open houses, reviews of the local blogs, and statements contained within the written comments, it appears that most respondents are likely to be local, frequent overnight users, who are well familiar with the park's backcountry. Stakeholder groups who travel from outside the local area appear to be less well-represented. These stakeholders, though substantial in number, are less likely to have learned of the proposal, are less familiar with the park, and as such, would be expected to be the major benefactors of improved backcountry trip planning services, an important component of this proposal.
- **Nature of Feedback:** Concerns generally fell within one or more of several areas:
 - Fee: While some respondents supported a fee to support backcountry operations, the majority were opposed to the concept of paying a new fee at the Smokies. Sometimes this was based on the inaccurate perception that charging a fee was inconsistent with the founding principles when the park was established.
 - Reservation system: Some respondents thought an expanded reservation system was appropriate but objected to the possibility that the service would be provided through Recreation.gov due to their prior experience with and dissatisfaction with the system or that the revenues should be used to develop a system specific to the Smokies that would use employ local call handlers who are familiar with the resource. Other opponents disagreed with the premise altogether that overcrowding of campsites occur and that any reservation system is necessary at all.
 - Thru hikers: Some respondents had a philosophical issue with incurring any fee along the Appalachian Trail, while others were concerned with the logistics of thru-hikers acquiring advanced reservations and permits. Some respondents offered constructive suggestions for handling the logistical challenges associated with thru-hikers.

- Desired outcome if the proposal is implemented: Some respondents expressed distrust that funds would be used as proposed, while others were supportive of the fee as long as used as indicated. Many agreed that more backcountry rangers and/or improved camping conditions are needed in the backcountry, though some expressed doubt that two rangers would make much of a difference.
- **Extent of Controversy:**
 - Given just 230 written comments from among a pool of 33,000 users, Park managers consider this issue mild in controversy.
 - After an initial flurry of comments on several blog sites, of which there was a mix of positive and negative comments, there remains one active blog where three opponents to the proposal are attempting to maximize any negative feedback in order to defeat the proposal. Misinformation is one tactic employed.
 - There have just been several newspaper articles, all providing a balanced approach to the issues.
 - Radio and television media coverage has been minimal.
 - There have been no concerns expressed by Federal or State elected officials, and minimal concern at the county level.



Ditmanson, Dale <dale_ditmanson@nps.gov>

Re: Back Country Fee/Congressional Contacts

1 message

David_Vela@nps.gov <David_Vela@nps.gov>

Wed, Feb 22, 2012 at 4:30 PM

To: Peggy_O'Dell@nps.gov

Cc: Jane_Moore@nps.gov, Lena_McDowall@nps.gov, Dale_Ditmanson@nps.gov, Gordon_Wissinger@nps.gov

Hi Peg,

Excellent, and thanks for all of your assistance and support with this matter.

Have a great day.

David Vela
Regional Director
National Park Service
Southeast Region
(404) 507-5603

CONFIDENTIALITY NOTICE: This message (including any attachments) is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

Peggy O'Dell--02/22/2012 03:53:20 PM--Thanks David and Dale, with this message I am authorizing you to move forward with this fee proposal. -----

Peggy
O'Dell/WASO/NPS

02/22/2012 03:53
PM

To: David Vela/Atlanta/NPS@NPS, "Jane Moore"
<Jane_Moore@nps.gov>, "Lena McDowall"
<Lena_McDowall@nps.gov>

cc

Subject: Re: Back Country Fee/Congressional Contacts

Thanks David and Dale, with this message I am authorizing you to move forward with this fee proposal.

Sent from my BlackBerry Wireless Handheld

David Vela

----- Original Message -----

From: David Vela

Sent: 02/22/2012 01:09 PM EST

To: Peggy O'Dell

Subject: Fw: Back Country Fee/Congressional Contacts

Hi Peg,

Please find the latest update from Dale regarding their civic engagement efforts (to include Congressional

contacts) involving GRSM's back-country fee proposal interests. Thanks again for your assistance with this matter.

Have a great day.

David Vela
Regional Director
National Park Service
Southeast Region
(404) 507-5603

CONFIDENTIALITY NOTICE: This message (including any attachments) is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

----- Forwarded by David Vela/Atlanta/NPS on 02/22/2012 11:24 AM -----

Dale
Ditmanson/GRSM/NPS

To: David Vela/Atlanta/NPS@NPS

02/22/2012 09:39 AM

cc

Subject: Back Country Fee/Congressional Contacts

David, I am following up on our conversation regarding the back-country fee proposal at GRSM. We are excited about the opportunity to improve service to our back country users, through a 24/7 reservation system and expanded hours of our back-country office, as well as protect park resources. As you know we conducted public meetings in NC and TN as part of the initial civic engagement and I personally briefed the staff of all our congressional delegation. Each of the offices were interested in how the fee would be implemented and that the fees would be used to improve services to the users. There were no concerns expressed by any of the offices with our proceeding with the back country fee proposal.

As you would expect there is a small group that has taken exception to the concept for a new fee, but overall the fee proposal is supported by our partners, concessioners, and incidental business permittees. I have continued to check in with the congressional delegation staff on numerous occasions. I met with staff of Senator Corker (TN) and Representative Duncan (TN-2) last week to learn if they are receiving constituent calls or correspondence regarding this issue, and both offices indicated they are not.

Following our call yesterday I spoke with staff in the offices of Senator Alexander (TN), Senator Burr (NC), Senator Hagan (NC), Representative Shuler (NC-11) and Representative Roe (TN-1). Some offices have not received a single inquiry regarding the proposal while others had a few calls. Please note add that we have not received a single controlled correspondence request from any of the congressional offices regarding the fee proposal.

Let me know if you need additional information.

Dale

Dale A. Ditmanson
Superintendent
Great Smoky Mountains National Park
37 Park Headquarters Road
Gatlinburg, TN 37738
865-436-1201
865-436-1204 (fax)



National Park Service
U.S. Department of the Interior

Office of Public Affairs
107 Park Headquarters Road
Gatlinburg, TN 37738

865-436-1207
www.nps.gov/grsm

Great Smoky Mountains National Park News Release

Release Date: March 7, 2012

Contact: Bob Miller, 865-436-1207, bob_miller@nps.gov, www.nps.gov

Smokies Backcountry Camping Fee Approved

GATLINBURG -Great Smoky Mountains Superintendent Dale A. Ditmanson has announced that the Park's proposal to begin collecting for the use of the Park's backcountry campsites and shelters has been approved by the National Park Service. This approval clears the way for the Park to move forward with developing an on line system to collect fees beginning in 2013 for reserving and use of the Park's backcountry by overnight hikers and equestrians.

The Park developed the plan in order to improve its trip-planning and reservation services to users and to expand its backcountry Ranger presence to better protect park resources through enforcement of food-storage and other regulations and improved visitor education regarding Leave-No-Trace principles.

The proposal was open for public comment last summer and some 230 written comments and two petitions were received during the comment period. According to Ditmanson, the public comments provided a great deal of constructive input on the concerns Park backcountry users had about the fee plan. "Many commenters were under the misconception that the Smokies is legally prohibited from charging user fees. The Park is prohibited from charging *a toll or license fee* from *motorists* crossing Park roads, by language in a 1951 deed under which the ownership of some park roads was transferred from the State of Tennessee to the National Park Service. But, we have long been authorized to collect *user fees* for specific activities such as front country camping, weddings, and commercial filming."

(over)

Smokies Backcountry Fee Proposal – page 2

“There was also a significant amount of concern about our initial plan to utilize the same computerized federal reservation system, www.recreation.gov that virtually all national parks use to reserve drive-in sites in front country campgrounds. We acknowledge that some of the policies, such as the lead time for making reservations and cancellations, are not a good fit for more spontaneous backcountry users. We will not use that system unless we are convinced that it can provide the level of service we want to offer, and are exploring the alternative of developing a stand-alone software program tailored specifically to the Smokies. The system developed will also need to be practicable for Appalachian Trail thru hikers whose itineraries evolve from day-to-day.”

“Concern was also raised about the range of fee amounts that were under consideration and that the resulting revenues may be diverted to other programs. We have decided to focus our plans around the lowest and simplest of the fees under study: \$4 per night per person. Most importantly, 100% of the revenue from this program will be invested in improving back-country services through extended hours of the back-country office, trip-planning assistance, on-line reservations, and protection of park resources through increased ranger staff.”

Now that the proposal has been approved, Park managers plan to provide periodic updates as plans for the reservation system evolve.

About the National Park Service. More than 20,000 National Park Service employees care for America's 395 national parks and work with communities across the nation to help preserve local history and create close-to-home recreational opportunities. Learn more at www.nps.gov.



Jordan, Clayton <clayton_jordan@nps.gov>

Backcountry permit fee proposal talking points

1 message

Kevin_Fitzgerald@nps.gov <Kevin_Fitzgerald@nps.gov>

Wed, Mar 7, 2012 at 2:51 PM

To: Alan_Sumeriski@nps.gov, Bob_Miller/GRSM/NPS@nps, Cathy_Losher@nps.gov, Charles_Daniels@nps.gov, Charles_Sellars@nps.gov, Clayton_Jordan@nps.gov, Dale_Ditmanson@nps.gov, Elizabeth_Dupree@nps.gov, Jeff_Troutman@nps.gov, Joel_Ossoff@nps.gov, Kevin_Fitzgerald@nps.gov, Molly_Schroer@nps.gov, Melissa_Cobern@nps.gov

All:

As you are now aware, we issued the press release today informing the public that we have received approval to move forward with implementation of the backcountry permit fee here at the Smokies. Some of you and your staff may receive questions regarding what the next steps are, how exactly are we going to do this, etc. For the most part, the talking points below shall suffice for answering questions from the public, our partners and the media. We have already explained and the press release reiterated what our reasons are for proposing the fee to begin with. It is now time to move forward rather than re-visiting the past. If you or your folks encounter anyone that is looking for more in depth information, please make arrangements to discuss with Dale and I. It is important that we not ad lib and be consistent as we move ahead.

- With the approval at hand, we will now be moving forward with developing a system for trip planning and reservations that will be designed to work effectively for all backcountry users.
- We will be doing so with the knowledge that one of the primary concerns expressed during the civic engagement process was that we implement the proposal in a way that is an improvement for visitors wanting to plan and participate in overnight backcountry camping in the park.
- We (the park) plan to provide periodic updates as plans for the reservation system evolve.

Kevin FitzGerald
Deputy Superintendent
Great Smoky Mountains National Park
865-436-1202 Office
865-712-3040 Cell
865-436-1204 Fax



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

F5419-10(2608)

MAR 12 2012

Memorandum

To: Regional Director, Southeast Region
Attention: Superintendent, Castillo de San Marcos National Monument
Superintendent, Great Smoky Mountains National Park
Superintendent, Big Cypress National Preserve

From: Associate Director, Business Services *Laura M. Donohue* MAR 08 2012
Associate Director, Park Planning, Facilities and Lands *Kate*

Subject: Approval to Increase Entrance Fee at Castillo de San Marcos National Monument,
and Implement Backcountry Camping/Shelter Fee at Great Smoky Mountains
National Park

This office received the request for the increased entrance fee for Castillo de San Marcos National Monument for Calendar Year 2012. Castillo de San Marcos is approved to increase the entrance fee from \$6 to \$7, which aligns the park with other Group 2 parks. Two dollars of this fee will be deposited to Primary Work Element (PWE) 623, transportation, per the June 14, 2011 approval. The increased fee was implemented January 1, 2012. The Interagency Annual, Senior, Access, Golden Age and Golden Access Passes will be accepted for the entrance fee.

Great Smoky Mountains was approved for civic engagement to propose a \$4 per-person, per-night fee for Backcountry Camping/Shelters to be added to the Recreation.gov website. They have completed the process, but need time to coordinate with Recreation.gov, which probably will not occur until fall of 2013. The new \$4 fee is approved for implementation in 2013. Great Smoky Mountains National Park should contact Jane Anderson via electronic mail at: jane_anderson@nps.gov, with the actual date that the new fee is implemented.

Big Cypress National Preserve was approved for civic engagement to increase and implement new camping fees, but decided to delay their civic engagement activities until 2012. If the park receives support from civic engagement for the fee increase, then they should resubmit their proposal in response to the fee change request for 2013.

The attached spreadsheet shows the specific approved fee rates for each park. If you have any questions about this memo, please contact Jane Anderson, Deputy Fee Manager, at (303) 987-6902.

Attachment

cc: Regional Fee Manager, Southeast Region

